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Rebecca McDowell Cook

Secretary of State

MISSOURI REGISTER

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Nov. 15, 2000	**Dec. 15, 2000**	Dec. 31, 2000	Jan. 30, 2001

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 24, *Missouri Register*, page 27. The approved short form of citation is 24 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	***Code of State Regulations***	**Division**	**Chapter**	**Rule**
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo Supp. 1999. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 10—General Licensure Requirements

EMERGENCY RULE

13 CSR 15-10.070 Alzheimer's Demonstration Projects

PURPOSE: This rule is being promulgated to describe the general requirements and process by which project participants will be selected in order to implement Alzheimer's Demonstration Projects in accordance with section 198.086, RSMo (Supp. 1999).

*EMERGENCY STATEMENT: The Division of Aging finds a compelling governmental interest in establishing an early effective date for the following rule in order to implement the statutory requirements of section 198.086, RSMo (Supp. 1999) with regard to the development and implementation of demonstration projects designed to establish a licensure category for those health care facilities that wish to provide care, treatment and services to persons with Alzheimer's disease or Alzheimer's related dementia. Currently, there are 108,000 Missourians diagnosed with Alzheimer's disease or Alzheimer's related dementia. By 2040, the number of Missourians with Alzheimer's disease or Alzheimer's related dementia will increase fifty-six percent (56%) to more than 169,000 citizens. Ten percent (10%) of Missourians over the age of sixty-five (65) and forty percent (40%) of Missourians over the age of eighty-five (85) have Alzheimer's disease. Persons afflicted with Alzheimer's disease live an average of eight (8) years from the onset of the symptoms and nearly all will spend their last years residing in long-term care facilities. This emergency rule is necessary to implement the provisions of section 198.086, RSMo (Supp. 1999) and establish the regulations and procedures under which potential providers may apply for participation in the demonstration projects. This rule preserves the compelling governmental interests of safeguarding the health and welfare of elderly citizens suffering from Alzheimer's disease and related dementias by the expeditious implementation of procedures for demonstration projects mandated by the Missouri General Assembly. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The division believes this emergency rule is fair to all interested persons affected by the circumstances. A proposed rule covering this same material is published in this issue of the **Missouri Register**. This emergency rule was filed April 14, 2000, effective April 24, 2000, and expires February 1, 2001.*

(1) For the purposes of this rule, "Health care facilities for persons with Alzheimer's disease or Alzheimer's related dementia" means facilities that are specifically designed and operated to provide elderly individuals who have chronic confusion or dementia illness, or both, with a safe, structured but flexible environment that encourages physical activity through a well-developed recreational and aging-in-place activity program.

(2) Participation in the Alzheimer's Demonstration Projects will be solicited by the Division of Aging by letter to all providers currently licensed by the division and to all interested parties who have advised the division of their interest. The solicitation letter will advise all recipients of the criteria to be used in making the selection and will be sent in advance of the selection with sufficient mailing time allowed for the submission of proposals by the date specified.

(3) Potential project participants must respond to the solicitation letter within thirty (30) days of the date received. The division must receive proposals by the date specified in the solicitation letter in order for the proposals to be considered. Proposals must address the criteria contained in the letter.

(4) The criteria utilized to select Alzheimer Demonstration Project participants will be developed by a committee appointed by the director of the Division of Aging consisting of representatives of providers, consumers and professionals in the long-term care industry and who possess knowledge of the provision of treatment to individuals with Alzheimer's disease or other related dementias.

(5) Proposals submitted will be screened initially for the ability of project applicants to comply with the minimum requirements set forth in section 198.086, RSMo (Supp. 1999). Such applicants must provide supported assurances of their ability to achieve initial and continued compliance with all such requirements in order to be included in the final selection. Proposals from project applicants which are determined to not meet the minimum requirements shall be removed from consideration.

(6) The proposals submitted by applicants which remain after the initial screening shall be reviewed to determine whether all required components, as set forth in this rule, are addressed. Proposals which are determined to have not addressed all required components shall be removed from consideration.

(7) Proposals remaining shall be reviewed by the Director of the Division of Aging and initial selections made. Selections for participants will be finalized only after the applicant reasonably demonstrates the financial capacity necessary to effectively implement and maintain the facility and program described in the proposal.

(8) Project participants selected for the demonstration projects shall be notified by the division within sixty (60) days from the date by which proposals shall be submitted to the division.

(9) All facilities selected to participate in the demonstration projects shall demonstrate the ability to comply with the following minimum requirements set forth in section 198.086, RSMo (Supp. 1999):

(A) Each health care facility for persons with Alzheimer's disease or other related dementias shall maintain substantial compliance with all regulations under which they are licensed or certified. A facility may request an exception to a state licensure regulation in accordance with 13 CSR 15-10.010(4);

(B) Facilities shall design and implement self-care, productive and leisure activity programs for individuals with Alzheimer's or other related dementias. These programs shall continually strive to promote the highest practicable physical and mental abilities and functioning of each resident;

(C) The facility may admit to the demonstration project facility only persons who have been diagnosed with Alzheimer's disease or other related dementia and for whom it has been determined that the facility is able to meet their needs. The determination of whether a facility is able to meet a resident's needs shall be made in consultation between the resident's physician, family members or health care advocates;

(D) Facilities shall designate a contiguous portion of the facility as the demonstration project site, unless such facility exclusively admits individuals with Alzheimer's or other related dementias as part of the demonstration project. All designated demonstration project beds shall be located within this designated contiguous portion of the facility;

(E) Facilities shall design and implement a resident environment which promotes the maintenance of the residents' social abilities through daily and frequent opportunities for socialization and appropriate activities. The residential environment shall be designed and utilized in such a way as to reflect the individual preferences of residents and to provide as much independence and opportunities for choices throughout a day as possible;

(F) A Minimum Data Set (MDS) assessment shall be completed for any resident who occupies a bed designated for demonstration project participants. The MDS must be completed within fourteen (14) days of admission and every ninety (90) days thereafter. The MDS must also be completed whenever a significant change in condition occurs. For the purposes of this rule, "significant change" means a change in medical condition or in cognitive or psychosocial functioning which requires a change or modification in services or treatments provided in order to maintain the individual at the highest practicable level of functioning.;

(G) Facilities shall be staffed twenty-four (24) hours a day by the number and type of licensed and unlicensed personnel sufficient to insure that all the needs of residents are met throughout the day. Facilities must remain in compliance with the staffing regulations in effect for the licensure category of the facility and as established by statute and must provide any additional staffing required to insure that residents' needs are met. Facilities shall determine appropriate staffing levels by utilizing current and updated Minimum Data Set information to identify residents' needs and shall make a determination on a daily and as needed basis regarding the number of staff required to meet these needs;

(H) Facilities shall conduct a total of at least twenty-four (24) hours of staff training for all employees providing direct care to demonstration project residents within the first thirty (30) days of employment. This training shall consist of at least six (6) hours of classroom training and two (2) hours of on-the-job training in the special needs, care and safety of individuals with Alzheimer's disease or related dementias;

(I) Additional training provided shall address the needs, preferences and choices of the individual demonstration project residents, the degree of and the provision of assistance required with activities of daily living, the initiation of appropriate activities for residents and the promotion of each resident's rights, dignity and independence;

(J) Facilities shall utilize personal electronic monitoring devices for any resident whose physician recommends and orders the use of the device. Such orders shall be documented in the resident's health care record;

(K) The facility shall be equipped with a complete automated sprinkler system installed and maintained in accordance with the 1996 edition of the National Fire Protection Association (NFPA) 13, *Standard for the Installation of Sprinkler Systems,* or the 1996 edition of NFPA 13R, *Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height*, which are hereby incorporated by reference in this rule. The facility shall also be equipped with a complete electrically supervised fire alarm system and smoke barriers in accordance with the provisions of the 1997 *Life Safety Code for Existing Health Care Occupancy*, which code is hereby incorporated by reference in this rule; and

(L) Buildings and furnishings shall be designed to provide for residents' safety. Facilities shall have indoor and outdoor activity areas, and electronically controlled exits from the buildings and grounds to allow residents the ability to explore while preventing them from exiting the facility's grounds unattended.

(10) All demonstration project facilities shall complete the Alzheimer's Special Care Unit/Program Disclosure Form in accordance with section 198.510, RSMo (Supp. 1999), and develop an informational brochure in accordance with section 198.515, RSMo (Supp. 1999). These must be submitted to the division's licensure unit prior to the admission of any residents through the demonstration project and as required for licensing purposes.

(11) In addition to the minimum requirements, applicants will also be considered for selection based on their ability to provide the following:

(A) A safe environment for individuals with Alzheimer's disease and other related dementias;

(B) Admission and discharge criteria which effectively identify those individuals for whom the participant is able to effectively provide treatment services;

(C) The provision of services through a social model for the residential environment;

(D) Staffing in sufficient numbers and by appropriately qualified staff in order to meet the needs of all residents with Alzheimer's disease or other related dementias on an ongoing basis;

(E) Specialized staff training relating to the needs, care and safety of individuals with Alzheimer's disease or other related dementias;

(F) Housing arrangements designed to provide for residents' comfort and safety as well as the provision of services;

(G) Supportive services ancillary to the provision of treatment and which support the treatment provided by the facility; and

(H) Adequate financial support of the facility's demonstration project.

AUTHORITY: section 198.534, RSMo (Supp. 1999). Emergency rule filed April 14, 2000, effective April 24, 2000, expires Feb. 1, 2001. A proposed rule covering this same material is published in this issue of the ***Missouri Register****.*

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least 30 days after publication of the notice in the *Missouri Register.* If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than 30 days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the 90-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than 30 days from the date of publication of the new notice.

Proposed Amendment Text Reminder:
Boldface text indicates new matter.
[Bracketed text indicates matter being deleted.]

Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division of Personnel
Chapter 5—Working Hours, Holidays and Leaves of Absence

PROPOSED AMENDMENT

1 CSR 20-5.010 Hours of Work and Holidays. The board is amending subsections (2)(D) and (H).

PURPOSE: The board is amending this rule to incorporate changes necessary as a result of the new SAM II HR system and other changes suggested by employees or agencies.

(2) Holidays shall be governed by the following provisions:

(D) All full-time employees, regardless of such schedule, shall receive credit for the same number of paid holidays as employees whose regular work schedule is Monday through Friday.

1. Part-time employees, paid on a monthly pay period, who are in pay status from eighty to one hundred nineteen (80–119) hours in a month, including one-half (1/2) credit for those eligible holidays, shall receive one-half (1/2) credit, and those employees who are in pay status from one hundred twenty to one hundred fifty-nine (120–159) hours in a month, including three-fourths (3/4) credit for those eligible holidays, shall receive three-fourths (3/4) credit. Part-time employees who are in pay status one hundred sixty (160) or more hours in a month, including full credit for those eligible holidays, shall receive full credit. Other part-time employees are not entitled to compensation or credit for holidays not worked.

2. A part-time employee, paid on a semi-monthly pay period, who are in pay status from forty to fifty-nine (40–59) hours in a semi-monthly pay period, including one-half (1/2) credit for those eligible holidays, shall receive one-half (1/2) credit, and those employees who are in pay status from sixty to seventy-nine (60–79) hours in a semi-monthly pay period, including three-fourths (3/4) credit for those eligible holidays, shall receive three-fourths (3/4) credit. Part-time employees who are in pay status eighty (80) or more hours in a semi-monthly pay period, including full credit for those eligible holidays, shall receive full credit. Other part-time employees who are scheduled to work less than one-half (1/2) time in a semi-monthly pay period or who are paid on a per-diem basis are not entitled to compensation or credit for holidays not worked. *[A terminating part-time employee shall receive pro-rated credit for a holiday as described in this section, if s/he is in pay status through the last scheduled working day before the holiday and has worked during the semi-monthly pay period.]*

3. Personnel whose normal duties require them to remain on duty at their workstation for shifts of twenty-four (24) hours or longer shall be exempt from the provisions of this section. Their holidays and holiday compensation shall be as established by the appointing authority, subject to review and approval by the personnel advisory board, consistent with the work schedule necessary to accommodate the safety and convenience of the public;

(H) Employees of the Missouri School for the Blind, Missouri School for the Deaf and State Schools for the Severely Handicapped**,** who are employed for the academic year established for those schools *[shall receive the same number of holidays during the academic year as received by other state employees during the same calendar period. Specific holidays for these employees will be designated in]* **and whose work schedule and attendance are regulated by the class calendar of those schools, shall be exempt from the provisions of this section. In lieu of the holidays as provided in 1 CSR 20-5.010(2)(A), holidays and holiday compensation for these employees shall be as established by the appointing authority in a comprehensive leave policy consistent with the work schedule necessary to accommodate** the annual academic calendar of their schools.

*AUTHORITY: section 36.070, RSMo [Supp. 1998] **Supp. 1999**. Original rule filed Aug. 20, 1947, effective Aug. 30, 1947. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 12, 2000.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than $500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment is scheduled at 1:00 p.m., Tuesday, July 11, 2000 in Room 400 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Comments would be directed to the Director of Personnel, Office of Administration, P.O. Box 388, Jefferson City, MO 65102.

Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division of Personnel
Chapter 5—Working Hours, Holidays and Leaves of Absence

PROPOSED AMENDMENT

1 CSR 20-5.020 Leaves of Absence. The board is amending subsections (1)(D), (E), (G) and (L) and adding subsection (2)(N).

PURPOSE: The board is amending this rule to incorporate changes resulting from the implementation of the SAM II HR system and other changes suggested by employees or agencies.

(1) Annual leave or vacation with pay shall be governed by the following provisions:

(D) **The maximum allowable** *[A]***a**ccumulation of *[A]***a**nnual *[L]***l**eave

[1. For employees paid on a monthly pay period, at the end of any calendar month, unliquidated accumulation of annual leave which] **shall not** exceed twenty-four (24) times *[that]* **an** employee's current full-time monthly accrual rate *[shall lapse and credit for the excess leave shall not be carried forward to the next calendar month;*

2. For employees paid on a semi-monthly pay period, at the end of any semi-month, unliquidated accumulation of annual leave which exceeds] **or** forty-eight (48) times *[that]* **an** employee's current full-time semi-monthly accrual rate *[shall lapse and credit for the excess leave shall not be carried forward to the next calendar month;]***. This maximum accrual shall apply in the following manner:**

1. At the end of any calendar year, unliquidated accumulation of annual leave which exceeds the maximum allowable accumulation shall lapse and credit for the excess leave shall not be carried forward to the next calendar year;

2. An employee entitled to annual leave who has resigned or otherwise separated from the service shall be entitled to receive reimbursement for the amount of this accrued leave which does not exceed the maximum allowable accumulation;

3. An employee who transfers to another department or who is appointed to a position in another department without break in service shall be entitled to receive reimbursement, under the provisions of subsection (1)(G), for the amount of this accrued leave which does not exceed the maximum allowable accumulation;

(E) *[An employee entitled to annual leave who has resigned or otherwise separated from the service shall be entitled to receive reimbursement for all this accrued leave. This]* **When applicable,** reimbursement **for accumulated annual leave** shall be based on the employee's rate of pay at the time of separation and shall be computed uniformly on the basis of the standard annual hourly rate of pay of the employee as determined by dividing the employee's annual full-time salary rate by two thousand eighty (2080)*[. For employees of the Missouri School for the Blind, Missouri School for the Deaf and State Schools for the Severely Handicapped who are employed on a school-term or on a part-time basis, the standard annual hourly rate of pay is determined by dividing the employee's annual salary rate by the total hours in their term of employment]*;

(G) An employee who transfers to another department or who is appointed to a position in another department without break in service shall be reimbursed for all his/her accrued leave **which does not exceed the maximum allowable accumulation** by the department which the employee is leaving, except that on the employee's request and with the approval of the appointing authority of the receiving department the employee may carry all or part of accrued annual leave to that department. Accrued annual leave *[in excess of that agreed to by the respective departments]* **under this subsection** shall be reimbursed in the manner prescribed in subsection (1)(E). Each department will establish a policy providing for the consistent transfer reimbursement of accumulated annual leave*[, or both,]* when employees transfer or are appointed to positions in another division of service within the department;

(L) *[Annual leave for e]* **E**mployees of the Missouri School for the Blind, Missouri School for the Deaf and State Schools for the Severely Handicapped**,** who are employed for the academic year established for those schools *[shall be granted in the form of days off with pay which are designated as school holidays in the annual academic calendar of their schools and which are in addition to those holidays provided in 1 CSR 20-5.010(2)(H). Any annual leave which these employees are entitled to under the provisions of subsection (1)(A) which is in excess of the additional school holidays will be credited to these employees as annual leave. This annual leave shall be granted in accordance with subsection (1)(A).]* **and whose work schedule and attendance are regulated by the class calendar of those schools, shall be exempt from the provisions of this section. In lieu of annual leave or vacation with pay as provided in 1 CSR 20-5.020(1)(A), annual leave and annual leave compensation for these employees shall be as established by the appointing authority in a comprehensive leave policy consistent with the work schedule necessary to accommodate the annual academic calendar of their schools.**

(2) Sick leave shall be governed by the following provisions:

(L) Employees who are incapacitated from performing their jobs due to injury or disease covered by Chapter 287, RSMo (Workers' Compensation Law) shall be permitted to use accrued sick leave only to the extent necessary to make up the difference between disability benefits paid under Chapter 287, RSMo and their salary at the time of injury; *[and]*

(M) When an employee's personal care and attention is required in connection with the adoption of a child, loss of time that is supported by appropriate documentation will be referred to as adoption leave. Such leave will be charged against the employee's accumulated sick leave unless the employee elects to use annual leave or compensatory time. The final decision concerning the granting of leave under this section shall rest with the appointing authority and shall be based upon the degree to which the employee is responsible for providing personal care and attention*[.]***; and**

(N) Employees of the Missouri School for the Blind, Missouri School for the Deaf and State Schools for the Severely Handicapped, who are employed for the academic year established for those schools and whose work schedule and attendance are regulated by the class calendar of those schools, shall be exempt from the provisions of this section. In lieu of sick leave with pay as provided in 1 CSR 20-5.020(2)(A), sick leave and sick leave compensation for these employees shall be as established by the appointing authority in a comprehensive leave policy consistent with the work schedule necessary to accommodate the annual academic calendar of their schools.

*AUTHORITY: section 36.070, RSMo [Supp. 1998] **Supp. 1999**. Original rule filed Aug. 20, 1947, effective Aug. 30, 1947. For*

*intervening history, please consult the **Code of State Regulations**. Amended: Filed April 12, 2000.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than $500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment is scheduled at 1:00 p.m., Tuesday, July 11, 2000, in Room 400 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Comments would be directed to the Director of Personnel, Office of Administration, P.O. Box 388, Jefferson City, MO 65102.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 65—Endowed Care Cemeteries
Chapter 1—Organization and Description

PROPOSED AMENDMENT

4 CSR 65-1.020 Cemetery Advisory Committee. The board is proposing to amend section (8).

PURPOSE: This amendment establishes the election and role of the chairperson and vice-chairperson.

(8) The committee shall meet at least twice each year and shall report all actions of the committee to the director of the Division of Professional Registration. **Annually, the committee shall elect a chairperson and vice-chairperson by a majority of committee member votes and in the absence of the chairperson, the vice-chairperson shall preside.**

*AUTHORITY: sections 214.280, RSMo [Supp. 1997] **Supp. 1999** and 214.392, RSMo 1994. Original rule filed Sept. 11, 1997, effective March 30, 1998. Amended: Filed April 14, 2000.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Endowed Care Cemeteries Committee, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 65—Endowed Care Cemeteries
Chapter 1—Organization and Description

PROPOSED RULE

4 CSR 65-1.030 Definitions

PURPOSE: This rule defines terms used in 4 CSR 65.

(1) Applicant—an individual submitting an application for a certificate of authority.

(2) Committee—the Endowed Care Cemetery Advisory Committee.

(3) Division—the Division of Professional Registration.

(4) FDIC—Federal Deposit Insurance Corporation.

(5) Office—Office of Endowed Care Cemeteries.

AUTHORITY: sections 214.270, RSMo Supp. 1999 and 214.392.1(5), RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Endowed Care Cemeteries Committee, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 65—Endowed Care Cemeteries
Chapter 1—Organization and Description

PROPOSED RULE

4 CSR 65-1.040 Name and Address Changes

PURPOSE: This rule outlines the requirements and procedures for notifying the Office of Endowed Care Cemeteries of an owner/operator, trustee, cemetery, name and/or address change.

(1) The holder of the certificate of authority to own or operate a cemetery, endowed or nonendowed, shall ensure the office has the current legal name and address of the cemetery, the owner of the cemetery and the operator of the cemetery. If the new owner is a corporation, partnership or limited liability company, the holder shall also submit the names of the shareholders, partners or members.

(2) The holder of the certificate of authority to own or operate a cemetery shall notify the office in writing of a change of trustee within thirty (30) days of the change. The notice shall include evidence that the trustee is a state or federally chartered financial institution authorized to exercise trust powers within this state and located in this state.

(3) The office shall be informed in writing thirty (30) days prior to a change in ownership. Notice of all other changes shall be made within thirty (30) days after the change.

(4) If the endowed care cemetery funds are not permanently set aside in a trust fund, but instead held in a segregated bank account, the holder of the certificate of authority shall notify the office if the funds are transferred from one account to another, or if signatories are changed. Notice shall include evidence that the funds are insured by the Federal Deposit Insurance Corporation (FDIC) and held in a state or federally chartered financial institution authorized

to do business in Missouri and located in this state. If a new signatory is a licensed attorney, notice shall include the attorney's bar number, and evidence that the attorney has escrow powers in this state.

(5) Except as specifically stated otherwise, notice of all changes in information shall be provided within thirty (30) days after the change.

AUTHORITY: section 214.392.1(5), RSMo 1994 and 620.0I0.14(2), RSMo Supp. 1999. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost the Office of Endowed Care Cemeteries an estimated $4,216 annually for the life of the rule. It is anticipated that the cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will cost private entities an estimated $3.30 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Endowed Care Cemeteries Committee, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 65 – Endowed Care Cemeteries

Chapter: 1 – Organization and Description

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 65-1.040 Name and Address Changes

Prepared March 1, 2000 by the Office of Endowed Care Cemeteries of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
Endowed Care Cemeteries	$4,216

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, and process name and address change requests and supporting documentation;
2) Expense and equipment costs are incurred for meeting preparation;
3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 4%	Enforcement – 3%
Personal Service	$ 551	$ 619
Expense & Equipment	$ 956	$ 1,075
Transfers	$ 478	$ 537
TOTAL	$ 1,985	$ 2,231

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the Endowed Care Cemeteries were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 40% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 60% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2– Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
$34,414	Licensure	$13,766
$34,414	Enforcement	$20,648

Table 3– Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
$59,747	Licensure	$23,899
$59,747	Enforcement	$35,848

Table 4– Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
$29,849	Licensure	$11,940
$29,849	Enforcement	$17,909

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 4% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 3% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

Division of Professional Registration
FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 65 – Endowed Care Cemeteries

Chapter: 1 – Organization and Description

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 65-1.040 Name and Address Change

Prepared March 1, 2000 by the Endowed Care Cemeteries of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate cost of compliance with the rule by the affected entities:
10	Individuals (notification of change)	$ 3.30
	Estimated Annual Cost of Compliance for the Life of the Rule	**$ 3.30**

III. WORKSHEET
Postage @ $.33

IV. ASSUMPTIONS

1. The board anticipates that five percent (5%) of the board's licensees will notify the office of name and or address changes annually for the life of the rule. The board estimates this process will cost each applicant approximately $.33.

2. The private entity cost for this proposed rule is estimated to be $3.30 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 65—Endowed Care Cemeteries
Chapter 1—Organization and Description

PROPOSED RULE

4 CSR 65-1.050 Complaint Handling and Disposition

PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints pursuant to the mandate of section 620.010.15(6), RSMo.

(1) The Division of Professional Registration, in coordination with the Endowed Care Cemetery Advisory Committee, will receive and process each complaint made against any holder of a certificate of authority in which the complaint alleges certain acts or practices that may constitute one (1) or more violations of provisions of sections 214.270–214.516, RSMo, or administrative rules. No member of the Endowed Care Cemetery Advisory Committee may file a complaint with the division or committee while holding office, unless that member is excused from further committee deliberation or activity concerning the matters alleged within that complaint. Any division staff member or committee member may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints shall be mailed or delivered to the following address: Office of Endowed Care Cemeteries, 3605 Missouri Boulevard, P.O. Box 1335, Jefferson City, MO 65102.

(3) All complaints shall be made in writing on a form provided by the division and shall fully identify the complainant by name and address. Verbal or telephone communication will not be considered or processed as complaints, however, the person making such communication will be asked to supplement the communication with a written complaint. Complaints may be based upon personal knowledge, or upon information and belief, reciting information received from other sources. Individuals with special needs, as addressed by the Americans with Disabilities Act, may notify the committee office at (573) 751-0849 for assistance. The text for the hearing impaired is (800) 735-2966.

(4) Each complaint received under this rule will be logged and maintained by the division. The log will contain a record of each complainant's name; the name and address of the subject(s) of the complaint; the date each complaint was received by the division/committee; a brief statement concerning the alleged acts or practices and the ultimate disposition of the complaint. This log shall be a closed record of the committee.

(5) Each complaint received under this rule shall be acknowledged in writing. The complainant and licensee shall be notified of the ultimate disposition of the complaint.

(6) This rule shall not be deemed to limit the authority to file a complaint with the Administrative Hearing Commission charging the committee's licensee with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the committee.

(7) The division interprets this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the committee. This rule is not deemed to protect, or inure the benefit of those licensees or other persons against whom the committee has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 214.270–214.516, RSMo.

AUTHORITY: sections 214.392, RSMo 1994 and 620.010.15(6), RSMo Supp. 1999. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost the Office of Endowed Care Cemeteries an estimated $55,804 annually for the life of the rule. It is anticipated that the cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Endowed Care Cemeteries Committee, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 65 – Endowed Care Cemeteries

Chapter: Chapter 1 - Organization and Description

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 65-1.050 Complaint Handling and Disposition

Prepared March 1, 2000 by the Office of Endowed Care Cemeteries of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
Endowed Care Cemeteries	$ 55,804

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, process complaints and supporting documentation, prepare meeting agendas, attend meetings of the committee and to implement committee/division directives;
2) Expense and equipment costs are incurred for meeting preparation and committee expenses incurred for monitoring complaint and investigations;
3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 0%	Enforcement – 75%
Personal Service	$ 0	$ 15,486
Expense & Equipment	$ 0	$ 26,886
Transfers	$ 0	$ 13,432
TOTAL	$ 0	$ 55,804

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the Endowed Care Cemeteries were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 40% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 60% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2– Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
$34,414	Licensure	$13,766
$34,414	Enforcement	$20,648

Table 3– Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
$59,747	Licensure	$23,899
$59,747	Enforcement	$35,848

Table 4– Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
$29,849	Licensure	$11,940
$29,849	Enforcement	$17,909

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 0% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 75% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 65—Endowed Care Cemeteries
Chapter 1—Organization and Description

PROPOSED RULE

4 CSR 65-1.060 Fees

PURPOSE: This rule establishes fees for the Division of Professional Registration and the Endowed Care Cemetery Advisory Committee.

(1) The division establishes the following fees which are nonrefundable:

(A) Election to Operate Fee	$25.00
(B) Copy of Register Fee (plus $.25 per page)	$ 5.00
(C) Insufficient Funds Check Fee Charge	$25.00

(2) All fees are nonrefundable.

(3) The provisions of this rule hereby are declared severable. If any fixed fee by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of the rule shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

AUTHORITY: sections 214.275, 214.280 and 610.026, RSMo Supp. 1999 and 214.283, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate. The costs associated with the fees set by this rule are accounted for in the fiscal notes of the rules requiring their payment.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Endowed Care Cemeteries Committee, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 65—Endowed Care Cemeteries
Chapter 2—General Rules

PROPOSED RULE

4 CSR 65-2.020 Endowed Care Cemetery Converting to Nonendowed

PURPOSE: This rule establishes procedures for endowed care cemeteries to become a nonendowed cemetery.

(1) Any endowed care cemetery that wishes to become a nonendowed cemetery shall submit a letter of intent to the office which shall include a detailed plan regarding how the cemetery will meet contractual obligations for the delivery of services entered into prior to converting to the status of a nonendowed cemetery, including but not limited to:

(A) Plot map showing any section that contains an endowed care plot;

(B) Affidavit ensuring that the endowed care funds will remain intact for the care and maintenance of the sections containing plots sold as endowed care;

(C) A statement regarding how the funds will be held consistent with section 214.330, RSMo; and

(D) Any other information requested by the office.

(2) The office shall inform the cemetery owner/operator whether the cemetery may operate as a nonendowed cemetery. The office may require an audit of the endowed care trust funds prior to evaluating a request to convert a cemetery from endowed to nonendowed care. If the letter of intent is approved by the office, the nonendowed section shall be separately designated from the remainder of the cemetery as required by law. All sections with burial spaces previously sold as endowed care shall remain as endowed care. The endowed care fund in place at the time the cemetery is converted to nonendowed shall remain intact and be maintained pursuant to the trust requirements as set forth in sections 214.240–214.516, RSMo. If the trust funds have not been maintained in compliance with the Endowed Care Cemetery Trust Fund Law prior to conversion to a nonendowed care cemetery, the holder of the certificate of authority shall be required to make all necessary deposits to the trust fund prior to conversion to a nonendowed care cemetery.

AUTHORITY: sections 214.280.2, RSMo Supp. 1999 and 214.392, RSMo 1994. Original rule filed: April 14, 2000.

PUBLIC COST: This proposed rule will cost the Office of Endowed Care Cemeteries an estimated $8,929 annually for the life of the rule. It is anticipated that the cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Endowed Care Cemeteries Committee, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 65 – Endowed Care Cemeteries

Chapter: 2 – General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 65-2.020 Endowed Care Cemetery Operating as Nonendowed

Prepared March 1, 2000 by the Endowed Care Cemeteries of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
Endowed Care Cemeteries	$8,929

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, and process renewal applications and supporting documentation, prepare meeting agendas, attend meetings of the committee and to implement committee/division directives;
2) Expense and equipment costs are incurred for meeting preparation and committee expenses incurred for issuing and mailing renewal endowed care licenses;
3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 6%	Enforcement – 8%
Personal Service	$ 826	$ 1,652
Expense & Equipment	$ 1,434	$ 2,868
Transfers	$ 716	$ 1,433
TOTAL	$ 2,976	$ 5,933

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the Endowed Care Cemeteries were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 40% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 60% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2– Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
$34,414	Licensure	$13,766
$34,414	Enforcement	$20,648

Table 3– Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
$59,747	Licensure	$23,899
$59,747	Enforcement	$35,848

Table 4– Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
$29,849	Licensure	$11,940
$29,849	Enforcement	$17,909

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 6% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 8% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 65—Endowed Care Cemeteries
Chapter 2—General Rules

PROPOSED RULE

4 CSR 65-2.030 Election to Operate as Endowed or Nonendowed

PURPOSE: This rule outlines the procedure for electing to operate as an endowed or nonendowed care cemetery.

(1) Election to operate shall be submitted on the form provided by the division. Forms may be obtained by contacting the Office of Endowed Care Cemeteries, P.O. Box 1335, Jefferson City, MO 65102, by calling (573) 751-0849 or by E-mail at endocare@mail.state.mo.us.

(2) An election to operate form is not considered officially filed with the division until it has been determined by the division that a fully completed form and the required fee has been submitted. Forms provided by the division must be completed, signed, notarized and accompanied by adequate documentation, as requested by the division to establish compliance with all state laws, rules and regulations, and county or municipal ordinances and regulations.

(3) An election to operate does not constitute an application for a certificate of authority. If an application, pursuant to section 214.275, RSMo, has not been made for a cemetery, it must accompany the election to operate form.

AUTHORITY: sections 214.280, RSMo Supp. 1999 and 214.392, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost the Office of Endowed Care Cemeteries an estimated $6,740 annually for the life of the rule. It is anticipated that the cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will cost private entities an estimated $139.15 annually for the life of the rule. It is anticipated that the total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Endowed Care Cemeteries Committee, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 65 – Endowed Care Cemeteries

Chapter: 2 – General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 65-2.030 Election to Operate as Endowed or Nonendowed

Prepared March 1, 2000 by the Endowed Care Cemeteries of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
Endowed Care Cemeteries	$6,740

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, and process applications and supporting documentation;
2) Expense and equipment costs are incurred for meeting preparation;
3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 6%	Enforcement – 5%
Personal Service	$ 826	$ 1,032
Expense & Equipment	$ 1,434	$ 1,792
Transfers	$ 761	$ 895
TOTAL	$ 3,021	$ 3,719

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the Endowed Care Cemeteries were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur

each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 40% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2– Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
$34,414	Licensure	$13,766
$34,414	Enforcement	$20,648

Table 3– Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
$59,747	Licensure	$23,899
$59,747	Enforcement	$35,848

Table 4– Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
$29,849	Licensure	$11,940
$29,849	Enforcement	$17,909

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 5% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

Division of Professional Registration
FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 65 – Endowed Care Cemeteries

Chapter: 2– General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 65-2.030 Election to Operate as Endowed or Nonendowed

Prepared March 1, 2000 by the Endowed Care Cemeteries of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate of compliance with the rule by the affected entities:
5	Individuals (Election to Operate Fee)	$125
5	Individuals (notary)	$12.50
5	Individuals (postage)	$1.65
	Estimated Annual Cost of Compliance for the Life of the Rule	**$ 139.15**

III. WORKSHEET

Election to Operate Fee @ $25.00
Notary Fee @ $2.50
Postage Fee @ $0.33

VI. ASSUMPTIONS

1. The board anticipates five (5) individuals will apply for a certificate of authority annually. The board estimates this application process to cost each applicant approximately $27.83.

2. The private entity cost for this proposed rule is estimated to be $139.15 annually for the life of the rule. It is anticipated that the total annual cost will recur for the life, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 65—Endowed Care Cemeteries
Chapter 2—General Rules

PROPOSED RULE

4 CSR 65-2.040 Land Surveyor's Statement, Location of Cemetery

PURPOSE: This rule is to define the form and manner for land surveyors to submit statements to the Office of Endowed Care Cemeteries of the Division of Professional Registration of the location of cemeteries found during land surveys of property located in the state.

(1) For purposes of section 214.283(1), RSMo, the office shall create the form for land surveyors to report the location of cemeteries. The form shall request the following information:

(A) Location of the property, including address, legal description and the city and/or county within which the cemetery is located;

(B) Name of the cemetery;

(C) County assessor's parcel number for the property;

(D) Owner of the cemetery;

(E) Name, telephone number and professional license number of the land surveyor; and

(F) Any other information deemed appropriate by the office.

(2) The land surveyor is required in all cases to provide his/her name, license number and telephone number and an adequate description of the location of the cemetery so it can be found by another person.

(3) The land surveyor shall also provide all other information requested in the form that is known or easily obtained by the land surveyor.

(4) The form shall be submitted to the Office of Endowed Care Cemeteries, P.O. Box 1335, Jefferson City, MO 65102-1335.

AUTHORITY: sections 214.283(1) and 214.392, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost the Office of Endowed Care Cemeteries an estimated $2,974 annually for the life of the rule. It is anticipated that the cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Endowed Care Cemeteries Committee, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 65 – Endowed Care Cemeteries

Chapter: 2 – General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 65-2.040 Land Surveyor's Statement, Location of Cemetery

Prepared March 1, 2000 by the Endowed Care Cemeteries of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
Endowed Care Cemeteries	$2,974

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, and process request for duplicate licenses and supporting documentation;
2) Expense and equipment costs are incurred for meeting preparation;
3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 0%	Enforcement – 4%
Personal Service	$ 0	$ 825
Expense & Equipment	$ 0	$ 1,433
Transfers	$ 0	$ 716
TOTAL	$ 0	$ 2,974

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the Endowed Care Cemeteries were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur

each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 40% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2– Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
$34,414	Licensure	$13,766
$34,414	Enforcement	$20,648

Table 3– Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
$59,747	Licensure	$23,899
$59,747	Enforcement	$35,848

Table 4– Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
$29,849	Licensure	$11,940
$29,849	Enforcement	$17,909

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 0% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 4% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 70—State Board of Chiropractic Examiners
Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 70-2.031 Meridian Therapy/Acupressure/Acupuncture. The board is proposing to amend subsection (3)(C) and delete the form that immediately follows this rule in the *Code of State Regulations*.

PURPOSE: This amendment clarifies the continuing education requirements for a licensee who holds a certificate of Meridian Therapy.

(3) In order to ensure that the public health and safety are protected and to maintain high standards of trust and confidence in the chiropractic profession and ensure the proper conduct of the chiropractic practice involving the use of Meridian Therapy, the requirements contained in this rule must be met prior to one engaging in therapeutic procedures or announcing the availability of therapeutic procedures to the public.

(C) In order to maintain a valid certificate in Meridian Therapy, a licensee who holds a certificate at the time of making his/her license renewal must certify *[annually]* to the board that s/he has completed **annually** a minimum of twelve (12) hours of postgraduate training, approved by the board, in Meridian Therapy.

*AUTHORITY: sections **331.050, RSMo Supp. 1999 and** 331.100.2, RSMo [1986] **1994**. Original rule filed Jan. 5, 1987, effective April 11, 1987. Amended: Filed March 4, 1994, effective Aug. 8, 1994. Amended: Filed April 14, 2000.*

PUBLIC COST: The public entity cost for this proposed amendment is estimated to be less than $500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed amendment is estimated to be less than $500 in the aggregate as the fee is not changing, the board is just going to a biennial renewal.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Chiropractic Examiners, P.O. Box 672, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 70—State Board of Chiropractic Examiners
Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 70-2.080 *[Annual]* ***Biennial*** **License Renewal**. The board is proposing to amend sections (1)–(6), (15), (16), (18), and (19) and delete the forms that immediately follow this rule in the *Code of State Regulations*.

PURPOSE: This amendment allows the board to take its licensees to a biennial renewal and outlines requirements for submission of continuing education credits.

(1) Any person in full- or part-time practice of chiropractic *[annually]* shall renew that license **biennially**. *[Annual]* **Biennial** renewal, by statute, is contingent upon the licensee having completed the **annual** mandatory hours of postgraduate study (continuing education) successfully.

(2) *[To renew a chiropractic license in 1998 and each year after that, t]***T**he required number of **annual** continuing education hours shall be twenty-four (24)—with four (4) hours in diagnostic imaging, four (4) hours in differential or physical diagnosis, or both, and four (4) hours in emergency procedures**,** *[or]* boundary training, *[or both, and every three (3) years this four (4) hours shall be in]* Human Immunodeficiency Virus (HIV) or infectious diseases and twelve (12) hours of **general subjects of** the doctor's choice.

(3) Every currently licensed chiropractic physician shall obtain*[, during each continuing education reporting period,]* **annually** the required number of continuing education hours (herein "C.E. credits") in the appropriate categories noted in section (2) of this rule. **The continuing education reporting period shall begin each year on January 1 and end on December 31. C.E. credits earned after December 31 shall apply to the next reporting cycle unless the licensee pays the continuing education penalty fee. Payment of the continuing education penalty fee will entitle a licensee to earn C.E. credits after December 31 but by no later than the following February 28/29.**

(4) At least twelve (12) of the twenty-four (24) C.E. credits required *[for renewal of a license beginning in 1998 and each year after that]* must be credit hours earned by attending formal continuing education programs which meet the requirements of 4 CSR 70-2.081(1). The twelve (12) C.E. credits earned by attending formal continuing education programs shall be four (4) hours credit in diagnostic imaging; four (4) hours in differential or physical diagnosis, or both; and four (4) hours in boundary training**,** *[or]* emergency procedures, *[or both.]* **Human Immunodeficiency Virus (HIV) or infectious diseases.** *[Beginning in the year 2000 and every third year thereafter, the four (4) hours of continuing education in boundary training or emergency procedures must be replaced with training in HIV or other infectious diseases.]* No more than twelve (12) C.E. credits can be earned during each reporting period through other continuing education experiences, and nothing herein shall be construed to require that licensees obtain any portion of their C.E. credits through such other continuing education experiences. Other continuing education experiences shall be categorized as general studies unless preapproved by the board and meets the requirements of section 331.050.1, RSMo and board rule 4 CSR 70-2.081(2). The board defines other continuing education experiences as follows:

(5) *[The continuing education reporting period shall begin each year on January 1 and end on December 31. C.E. credits earned after December 31 shall apply to the next reporting cycle unless the licensee pays the continuing education penalty fee. Payment of the continuing education penalty fee will entitle a licensee to earn C.E. credits after December 31 but by no later than the following February 28.]* A renewal license will not be issued until all renewal requirements have been met. If the licensee pays the continuing education penalty fee for C.E. credits earned late, those hours shall not be applied to the next reporting cycle. A licensee who has failed to obtain and *[report]* **verify**, in a timely fashion, the requisite number of C.E. credits shall not engage in the practice of chiropractic unless an extension is obtained pursuant to section (8) of this rule.

(6) For the license renewal *[due on December 31, 1998, and each subsequent renewal thereafter,]* the licensee shall *[report]* **verify** the number of C.E. credits earned during the **last two immediately preceding** continuing education reporting periods on *[a continuing education report]* **the renewal** form provided by the board. The *[continuing education report]* **renewal** form shall be mailed*[, or faxed,]* directly to the board office on or before *[December 31 of each year, or as soon thereafter as possible but by no later than the end of the renewal period (February 28)]* **the expiration date of the license**. The licensee shall not submit the actual record of C.E. attendance to the board except in the case of a board audit.

(15) Deadline for Renewal.

(A) Applications for renewal shall be postmarked by *[December 31 of each year]* **the expiration date of the license**.

(16) Continuing Education Requirements During the First Year of Practice.

(B) All licensees who have received a license by examination within the preceding twelve (12) months of the *[annual renewal date (March 1)]* **expiration date of the license** shall not be required to earn C.E.*[,]* credits for their initial year of licensing or portion of it.

(18) If a bad check is received by the board to renew a license and if the replacement cashier's check is not received prior to *[March 1]* **the expiration date of the license**, the license will be inactivated and the licensee shall not practice until the license has been reactivated.

(19) The license period shall *[commence on March 1 of each year and end on February 28/29 of each year]* **be set by the director of the division of professional registration**.

*AUTHORITY: sections 331.050, **RSMo Supp. 1999** and 331.100.2, RSMo 1994. This version of rule filed Dec. 17, 1975, effective Dec. 27, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 14, 2000.*

PUBLIC COST: The public entity cost for this proposed amendment is estimated to be less than $500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed amendment is estimated to be less than $500 in the aggregate as the fee is not changing, the board is just going to a biennial renewal.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Chiropractic Examiners, P.O. Box 672, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 70—State Board of Chiropractic Examiners
Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 70-2.090 Fees. The board is amending section (1).

PURPOSE: This amendment allows the board to take its licensees to a biennial license renewal.

(1) The following fees hereby are established by the State Board of Chiropractic Examiners:

(A) Examination Fee	*[$300.00]*	**$600.00***
(C) Application Processing Fee	*[$240.00]*	**$480.00****
(D) Reciprocity License Fee	*[$300.00]*	**$600.00**
(F) Renewal Fee	*[$150.00]*	**$300.00**
(G) Reactivation Fee	*[$250.00]*	**$500.00**
(K) Renewal Fee (retired)	*[$ 25.00]*	**$ 50.00**
(P) Meridian Therapy/Acupressure/Acupuncture Certification Application Fee	*[$100.00]*	**$200.00**
(R) Insurance Consultant Certification Fee	*[$100.00]*	**$200.00**
(S) Insurance Consultant Renewal Fee	*[$ 50.00]*	**$100.00**

*AUTHORITY: sections 43.543, 331.070 and 331.100.2, RSMo 1994. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 11, 1981. Original rule filed June 30, 1981, effective Oct. 12, 1981. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 14, 2000.*

PUBLIC COST: The public entity cost for this proposed rule is estimated to be less than $500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed rule is estimated to be less than $500 in the aggregate as the fee is not changing, the board is just going to a biennial renewal.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Chiropractic Examiners, P.O. Box 672, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 110—Missouri Dental Board
Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 110-2.090 Certification of Dental Specialists. The board is proposing to amend paragraph (1)(A)2.

PURPOSE: The purpose of this amendment is to correct a mistake made at the time this rule was last amended with regard to the examination requirements for a specialty certification. The Board did not intend to eliminate passage of the written examination of an American specialty board as a qualifying examination. Although passage of the written examination is one of the steps leading to a diplomate status of an American specialty board, it is not necessary to complete all of the steps to be a current diplomate in order to qualify for a specialty certification.

(1) In order to qualify for certification as a specialist in endodontics, oral pathology, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, public health, or any other area of specialty recognized by the American Dental Association, the applicant shall submit to the board the appropriate application/examination fee, submit a completed application form as defined in section (2) of this rule, and fulfill all the requirements of subsections (A), (B), or (C) of this section.

(A) The board may issue, without examination, a specialty certificate to any applicant who—

1. Is a currently registered and licensed dentist in Missouri; and

2. **Passes the written examination of an American specialty board or** *[I]***i**s a current diplomate of an American specialty board recognized by the American Dental Association.

*AUTHORITY: sections 332.031, RSMo Supp. [1997] **1999** and 332.171**.2**, RSMo 1994. Original rule filed Dec. 12, 1975, effective Jan. 12, 1976. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 14, 2000.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Dental Board, Sharlene Rimiller, Executive Director, P.O. Box 1367, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 150—State Board of Registration for the Healing Arts
Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants

PROPOSED AMENDMENT

4 CSR 150-3.080 Fees. The board is proposing to amend subsections (1)(A) and (1)(B).

PURPOSE: The board is proposing an amendment to this rule as the State Board of Registration for the Healing Arts will no longer collect the examination service fee.

(1) The following fees are established by the State Board of Registration for the Healing Arts, and are payable in the form of a cashier's check or money order:

(A) **Licensure by** Examination Fee	*[$215.00]* **$50.00**
(B) Reciprocity License Fee	*[$215.00]* **$50.00**

*AUTHORITY: sections 334.090.1 and .2 and 334.580, RSMo 1994, 334.125, 334.507, 334.540, 334.550 and 334.560, RSMo Supp. [1998] **1999**. Original rule filed Aug. 10, 1983, effective Nov. 11, 1983. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 14, 2000.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for Physical Therapists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 150—State Board of Registration for the Healing Arts
Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants

PROPOSED AMENDMENT

4 CSR 150-3.170 Physical Therapist Assistant Licensure Fees. The board is proposing to amend subsections (1)(A) and (1)(B), delete subsection (1)(C), and reletter the remaining subsections accordingly.

PURPOSE: The board is proposing an amendment to this rule as the State Board of Registration for the Healing Arts will no longer collect the examination service fee.

(1) The following fees are established by the State Board of Registration for the Healing Arts:

(A) **Licensure by** Examination Fee	*[$215.00]* **$50.00**
(B) Reciprocity Fee	*[$215.00]* **$50.00**
[(C) Licensure without Examination Fee	*$215.00]*
[(D)] **(C)** Temporary License Fee	$ 10.00
[(E)] **(D)** Renewal of Certificate of Registration Fee (Personal/corporate checks acceptable)	$ 10.00
[(F)] **(E)** Delinquency Fee (failure to timely file application for renewal of certificate of registration)	$ 10.00.

*AUTHORITY: sections 334.125, 334.655, 334.660 and 334.670, RSMo Supp. [1997] **1999**. Original rule filed Sept. 4, 1997, effective March 30, 1998. Amended: Filed April 14, 2000.*

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for Physical Therapists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication in the **Missouri Register**. No public hearing is scheduled.*

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 2—Administration

PROPOSED AMENDMENT

8 CSR 10-2.020 Charges for Copies of Records, Reports, Decisions, Transcripts or Other Papers or Documents. The Division of Employment Security is deleting from the *Code of State Regulations* the form following the rule.

*PURPOSE: This amendment removes the form following the rule from the **Code of State Regulations**.*

*AUTHORITY: sections 288.220.5**, Supp. 1999*** *and 288.360.3, RSMo [1986] **1994**. This rule was previously known as regulation no. 19. Original rule filed Sept. 30, 1946, effective Oct. 10, 1946. Amended: Filed June 20, 1951, effective July 1, 1951. Amended: Filed Nov. 9, 1954, effective Nov. 19, 1954. Amended: Filed*

March 11, 1974, effective March 21, 1974. Amended: Filed Nov. 21, 1975, effective Dec. 1, 1975. Amended: Filed July 30, 1991, effective Dec. 9, 1991. Amended: Filed April 12, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Employment Security; Attn: Catherine Leapheart, Director; P.O. Box 59; Jefferson City, MO 65104-0059. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information. The commission proposes to amend subsections (1)(B), (2)(B), (2)(C), (2)(D), (5)(A), (6)(A) and (6)(B), delete subsections (5)(B) and (5)(D) and renumber (5)(C) and (5)(E), and remove the forms following the rule in the *Code of State Regulations*. If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan.

PURPOSE: This amendment will establish emission and service fees for Missouri facilities as required annually by 643.070 and 643.079, RSMo and remove the forms from the end of the rule.

(1) Applicability.

(B) An emission statement is required of facilities if the actual emission of either nitrogen oxides (NO_X), volatile organic compounds (VOCs) or carbon monoxide (CO) are equal to or greater than ten (10) tons annually. Emission statement **(Form 2.0Z)** requirements in this rule are applicable only to sources located in nonattainment areas.

(2) Record Keeping and Reporting Requirements.

(B) The owner or operator of an installation subject to subsection (2)(A) of this rule shall file with the director, on the frequency specified in subsection (2)(E), reports containing the information specified in subsection (2)(A). The reports shall specify the type and location of all sources of regulated air pollutants and the amount of each type of regulated air pollutant at each location; the size and height of all emission outlets, stacks and vents; the processes employed, including all fuel combustion and incineration; the type of air pollution control equipment used at the installation; the capture efficiency and control *[effiency]* **efficiency** of the air pollution control equipment, where applicable; and ozone season information (*[f]* **F**orm 2.0Z) from sources located in nonattainment areas. Capture efficiency shall be applicable to emission points which are controlled by air pollution control devices and are not fully enclosed. Capture efficiency is not applicable to fugitive dust. The department encourages facilities to perform tests to determine capture efficiency. Industrial ventilation principles and engineering calculations may be used if testing is physically impossible or cost prohibitive. If testing or engineering calculation is not possible, then a default value of fifty percent (50%) capture efficiency may be used. Documentation verifying the capture efficiency shall be included with the EIQ. The owner or operator may submit a report containing information of a different nature provided the information submitted is adequate for the purposes of air quality planning and fee assessment and is approved by the director. Information submitted shall be reduced by the director to emission data as defined in 10 CSR 10-6.210(3)(B)2.

(C) The reports required by subsections (2)(B) **and (2)(D)** of this rule shall be completed on state supplied EIQ forms *[incorporated by reference at the end of this rule]* or in a form satisfactory to the director and shall be submitted to the director within ninety (90) days after the end of each reporting period. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. The reporting periods for an installation, as determined by the reporting frequency specified in subsection (2)(E), shall end on December 31 of each calendar year. Sources allowed to file reports once every five (5) years shall submit the EIQ on the same schedule as the operating permit renewal application. Each report shall contain the information required by subsection (2)(B) for each air contaminant source at the installation for the twelve (12)-month period immediately preceding the end of the reporting period, in addition to the information required under subsection (2)(A) to be collected, recorded and maintained during each year of operation of the installation.

(D) For sources located in nonattainment areas, an emission statement is required if the actual emission of either nitrogen oxides (NO_X), volatile organic compounds (VOCs) or carbon monoxide (CO) are equal to or greater than ten (10) tons annually. Emissions of each pollutant shall be reported if a facility meets the ten (10) ton threshold for any of the three (3). Emissions statement reporting requirements shall be completed on state supplied EIQ forms *[incorporated by reference at the end of this rule]* and include the information required at subsection (2)(B) of this rule and ozone season information for VOC, NO_X and CO emissions and any other criteria pollutant requested by the director. **After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period.** Emission statements shall be submitted in accordance with the schedule *[at]* **in** subsection (2)(E) **of this rule**.

(5) Emission Fees.

(A) Any air contaminant source required to obtain a permit under sections 643.010–643.190, RSMo, except sources that produce charcoal from wood, shall pay an annual emission fee, regardless of their EIQ reporting frequency, of twenty-five dollars and seventy cents ($25.70) per ton of regulated air pollutant emitted during calendar year *[1999]* **2000** in accordance with the conditions specified in subsection (5)*[(C)]***(B)** of this rule. Sources which are required to file reports once every five (5) years may use the information in their most recent EIQ to determine their annual emission fee. *[Sources that produce charcoal from wood shall pay an annual emission fee as specified in subsection (5)(B) of this rule.]*

[(B) Any air contaminant source that produces charcoal from wood shall pay a reduced annual emission fee. The source shall pay an annual emission fee per ton for each ton of regulated air pollutant emitted per calendar year in accordance with the conditions specified in subsection (5)(C) of this rule except: fees payable in 1999 and 2000 shall be forty percent (40%) of the emission fee established in subsection (5)(A) of this rule per ton of regulated air pollutant emitted.]

*[(C)]***(B)** General Requirements.

1. The fee shall apply to the first four thousand (4,000) tons of each regulated air pollutant emitted. However, no air contami-

nant source shall be required to pay fees on total emissions of regulated air pollutants in excess of twelve thousand (12,000) tons in any calendar year. A permitted air contaminant source which emitted less than one (1) ton of all regulated pollutants shall pay a fee equal to the amount of one (1) ton.

2. The fee shall be based on the information provided in the facility's *[Emission Inventory Questionnaire (EIQ)]* **EIQ**.

3. An air contaminant source which pays emissions fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

4. The fee*[s]* imposed under subsection*[s]* (5)(A) *[and (B)]* of this rule shall not apply to carbon oxide emissions.

5. The fees shall be due April 1 each year for emissions produced during the previous calendar year.

6. The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire form or equivalent approved by the director.

7. For the purpose of determining the amount of air contaminant emissions on which the fees are assessed, a facility shall be considered one (1) source under the definition of section 643.078.2, RSMo, except that a facility with multiple operating permits shall pay emission fees separately for air contaminants emitted under each individual permit.

[(D) Special Requirements for Phase I Affected Units.

1. Any Phase I affected unit which is subject to the requirements of Title IV, section 404, of the federal Clean Air Act, 42 U.S.C. 7651, shall pay an annual service fee of twenty-five thousand dollars ($25,000) for calendar year 1999

A. The service fee shall be payable to the Department of Natural Resources on April 1 each calendar year.

B. Any Phase I affected unit that is located on one (1) or more contiguous tracts of land with any Phase II generating unit that pays fees under subsections (5)(A) or (B) of this rule shall be exempt from paying service fees. (Note: A contiguous tract of land is adjacent land, excluding public roads, highways and railroads, which is under the control of or owned by the permit holder and operated as a single enterprise.)

2. The fees imposed in subsection (5)(A) of this rule shall not apply to sulfur dioxide emissions from any Phase I affected unit subject to the requirements of Title IV, Section 404, of the federal Clean Air Act, 42 U.S.C. 7651, before January 1, 2000.

3. The fees on emissions from any Phase I affected unit imposed under section (5) of this rule shall be reduced by the amount of the service fee paid by that Phase I affected unit during that year.]

*[(E)]***(C)** Fee Collection. The annual changes to this rule to establish emission fees for a *[specifc]* **specific** year do not relieve any source from the payment of emission fees for any previous year.

(6) Emission Calculation and Verification**.**

(A) Emission Calculation. All sources shall use the following hierarchy as a guide in determining the most desirable emission data to report to the department. If data is not available for an emission estimation method or an emission estimation method is impractical for a source, then the subsequent emission estimation method should be used in its place:

1. Continuous Emission Monitoring System (CEMS) **as specified in paragraph (6)(B)1. of this rule**;

2. Stack tests **as specified in paragraph (6)(B)2. of this rule**;

3. Material/mass balance;

4. AP-42 (Environmental Protection Agency (EPA) *Compilation of Air Pollution Emission Factors*) or FIRE (Factor Information and Retrieval System) **(as updated)**;

5. Other EPA documents **as specified in paragraph (6)(B)3. of this rule**;

6. Sound engineering calculations; or

7. Facilities shall obtain department pre-approval of emission estimation methods other than those listed in **paragraphs** (6)(A)1.–6. **of this rule**. before using any such method to estimate emissions in the submission of an EIQ. The department will approve or deny requests by December 31 if submitted in writing by September 1.

(B) Emission Verification. The director reserves the authority to review and approve all emission estimation methods used to calculate emissions for the purpose of filing an EIQ for accuracy, reliability and appropriateness. Inappropriate usage of an emission factor or method shall include, but is not limited to: using emission factors not representative *[or]* **of** a process, using equipment in a manner other than that for which it was designed for in calculating emissions, or using a less accurate emission estimation method for a process when a facility has more accurate emission data available. Additional requirements for the use of a specific emission estimation method include:

1. Continuous Emission Monitoring System (CEMS).

A. CEMS must be shown to have met applicable performance specifications during the period for which data is being presented.

B. CEMS data must be presented in the units which the system was designed to measure. Additional data sets used to extrapolate CEMS data must have equal or better reliability for such extrapolation to be acceptable.

C. When using CEMS data to estimate emissions, the data must include all parameters (i.e. emission rate, gas flow rate, etc.) necessary to accurately determine the emissions. CEMS data which does not include all the necessary parameters must be reviewed and approved by the director or local air pollution control authority before it may be used to estimate emissions;

2. Stack tests.

A. Stack tests must be conducted on the specific equipment for which the stack test results are used to estimate emissions.

B. Stack tests must be conducted according to the methods cited in 10 CSR 10-6.030, unless an alternative method has been approved in advance by the director or local air pollution control authority.

C. Stack tests will not be accepted unless the choice of test sites and a detailed test plan have been approved in advance by the director or local air pollution control authority.

D. Stack tests will not be accepted unless the director or local air pollution control authority has been notified of test dates at least thirty (30) days in advance and thus provided the opportunity to observe the testing. This thirty (30)-day notification may be reduced or waived on a case-by-case basis by the director or local air pollution control authority.

E. Stack test results which do not meet all the criteria of **subparagraphs** (6)(B)2.A.–D. **of this rule** may be acceptable for estimating emissions, but must be submitted for review and approval by the director or local air pollution control authority on a case-by-case basis; and

3. EPA documents. Other EPA documents may be used to estimate emissions if the emission factors are more appropriate or source specific than AP-42 or FIRE. Newly developed EPA emission factors must be published by December 31 of the year for which the facility is submitting an EIQ.

*AUTHORITY: section 643.050, RSMo Supp. [1998] **1999**. Original rule filed June 13, 1984, effective Nov. 12, 1984. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 6, 2000.*

PUBLIC COST: This proposed amendment will cost $6,939,450 in FY 2001 and $11,327,771 in FY 2002. For the years after FY 2002, the total annualized aggregate cost is $11,327,771 for the life of the rule. Note attached fiscal note for assumptions that apply.

PRIVATE COST: This proposed amendment will have a total annualized aggregate cost of $10,201,020 for the life of the rule. Note attached fiscal note for assumptions that apply.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., June 29, 2000. The public hearing will be held at the Ramada Inn, 1510 Jefferson Street, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven days prior to the hearing to Roger D. Randolph, Director, Air Pollution Control Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 6, 2000. Written comments shall be sent to Chief, Planning Section, Air Pollution Control Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102-0176.

FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: 6 - Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 10 - 6.110 Submission of Emission Data, Emission Fees and Process Information

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Missouri Department of Natural Resources /Air Pollution Control Program	$ 8,805,339*
Misc. Public Entities (listed below)	$ 2,522,432*
Totals	$11,327,771*

*Cost estimates are reported as annualized aggregates.

III. WORKSHEET

Missouri Department of Natural Resources /Air Pollution Control Program (APCP) Costs

APCP Costs	FY2001	FY2002	Annualized Aggregate
Salaries	$ 1,808,714	$ 3,729,113	$ 3,729,113
Fringe Benefits	$ 464,271	$ 957,270	$ 957,270
Operating Expenses	$ 753,221	$ 1,207,415	$ 1,207,415
Grants to Local Air Agencies	$ 845,000	$ 1,740,000	$ 1,740,000
Refunds	$ 132,103	$ 264,205	$ 264,205
Department Overhead	$ 463,168	$ 907,336	$ 907,336
Totals	$ 4,466,477	$ 8,805,339	$ 8,805,339
Local Air Agencies (Kansas City, Springfield, St. Louis City, St. Louis County) Costs			
Salaries, fringes, operating, and overhead	$ 845,000	$ 1,740,000	$ 1,740,000
Less Grant from MDNR	($ 845,000)	($ 1,740,000)	($ 1,740,000)
Totals	$ 0	$ 0	$ 0

Additional Public Entity Costs

Source Description	Number of Facilities
Gas & Electric	57
Sanitary Services	28
Hospitals	30
Rehabilitation Centers	3
Schools	7
Correctional Facility	2

National Security	4
Post Office	1
Totals	132

Fees	FY 2001	FY 2002	Annualized Aggregate
EIQ Fees	$2,472,973	$2,522,432	$2,522,432

Costs	FY2001	FY2002	Annualized Aggregate
Departmental Costs	$ 4,466,477	$ 8,805,339	$ 8,805,339
Add'l Public Entity Costs	$ 2,472,973	$ 2,522,432	$ 2,522,432
Total Costs	$ 6,939,450	$11,327,771	$11,327,771

IV. ASSUMPTIONS

1. Cost and affected entity estimates are based on data presently entered in the tracking systems of the Air Pollution Control Program. This data is subject to change as additional information is reviewed, updated, and entered. Fees for public entities are based on $25.70 per ton of regulated air pollutant.

2. The emission fees paid by public entities may vary depending on their current information and their chargeable emissions with fees remaining relatively constant. However, new controls decrease the amount of their emission fees.

3. The Phase I utility boilers will begin paying emission fees for emissions in fiscal year 2001 for emissions in calendar year 2000. Thus an increase in emission fees will occur during this time. This increase will be approximately 30% or $1.8 million statewide (public and private).

4. State projections are based on the most current information regarding budget-appropriation levels. Increases or decreases in appropriations result from additions or deletions to the budget. Variations in operating expenses occur as a result of program budget decreases or increases by the legislature.

5. The costs to prepare forms are included in the EIQ fees for public entities.

6. Public entity costs are for the entire rule rather than just the amendment. The public entity costs are provided for informational purposes and to provide fee collection estimates. The costs are based on the most recent data available to the department and are expected to be more accurate than previous fiscal notes for the same fiscal years.

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: 6 - Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 10 - 6.110 Submission of Emission Data, Emission Fees and Process Information

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
2,302 Facilities (listed below)	Listed below	$10,201,020*

*Cost estimates are reported as annualized aggregates.

III. WORKSHEET

SIC Code	SIC Description	Number of Facilities
01	AGRICULTURAL PRODUCTION CROPS	0
02	AGRICULTURAL PRODUCTION LIVESTOCK AND ANIMAL SPECIALTIES	1
07	AGRICULTURAL SERVICES	57
10	METAL MINING	8
12	COAL MINING	5
14	MINING AND QUARRYING OF NONMETALLIC MINERALS, EXCEPT FUELS	206
15	BUILDING CONSTRUCTION GENERAL CONTRACTORS AND OPERATIVE	1
16	HEAVY CONSTRUCTION OTHER THAN BUILDING CONSTRUCTION	0
17	CONSTRUCTION SPECIAL TRADE CONTRACTORS	2
20	FOOD AND KINDRED PRODUCTS	110
21	TOBACCO PRODUCTS	0
22	TEXTILE MILL PRODUCTS	2
23	APPAREL AND OTHER FINISHED PRODUCTS MADE FROM FABRICS	0

SIC Code	SIC Description	Number of Facilities
24	LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE	54
25	FURNITURE AND FIXTURES	24
26	PAPER AND ALLIED PRODUCTS	24
27	PRINTING, PUBLISHING, AND ALLIED INDUSTRIES	66
28	CHEMICALS, BRIQUETS, PAINTS	146
29	PETROLEUM REFINING AND RELATED INDUSTRIES	157
30	RUBBER AND MISCELLANEOUS PLASTICS PRODUCTS	57
31	LEATHER AND LEATHER PRODUCTS	10
32	STONE, CLAY, GLASS, AND CONCRETE PRODUCTS	205
33	PRIMARY METAL INDUSTRIES	43
34	FABRICATED METAL PRODUCTS, EXCEPT MACHINERY AND TRANSPORTATION	87
35	INDUSTRIAL AND COMMERCIAL MACHINERY AND COMPUTER EQUIPMENT	40
36	ELECTRONIC AND OTHER ELECTRICAL EQUIPMENT AND COMPONENTS	38
37	TRANSPORTATION EQUIPMENT	45
38	MEASURING, ANALYZING, AND CONTROLLING INSTRUMENTS	5
39	MISCELLANEOUS MANUFACTURING INDUSTRIES	11
40	RAILROAD TRANSPORTATION	1
41	LOCAL AND SUBURBAN TRANSIT AND INTERURBAN HIGHWAY PASSENGER	1
42	MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING	25
44	WATER TRANSPORTATION	3
45	TRANSPORTATION BY AIR	7
46	PIPELINES, EXCEPT NATURAL GAS	21
47	TRANSPORTATION SERVICES	2
48	COMMUNICATIONS	0

SIC Code	SIC Description	Number of Facilities
49	ELECTRIC, GAS, SANITARY SERVICES, AND LANDFILLS	124
50	WHOLESALE TRADE-DURABLE GOODS	13
51	WHOLESALE TRADE-NON-DURABLE GOODS	130
52	LUMBER/HARDWARE	1
54	FOOD STORES	13
55	AUTOMOTIVE DEALERS AND GASOLINE SERVICE STATIONS	2
57	HOME FURNITURE, FURNISHINGS, AND EQUIPMENT STORES	0
59	MISCELLANEOUS RETAIL	1
60	BANK	1
63	INSURANCE CARRIERS	0
65	REAL ESTATE	1
70	HOTELS, ROOMING HOUSES, CAMPS, AND OTHER LODGING PLACES	1
72	PERSONAL SERVICES AND DRY CLEANERS	453
73	BUSINESS SERVICES	2
75	AUTOMOTIVE REPAIR, SERVICES, AND PARKING	5
76	MISCELLANEOUS REPAIR SERVICES	1
80	HEALTH SERVICES	66
82	EDUCATIONAL SERVICES	11
84	MUSEUMS, ART GALLERIES, AND BOTANICAL AND ZOOLOGICAL GARDENS	2
87	ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT, AND RELATED	2
91	EXECUTIVE, LEGISLATIVE, AND GENERAL GOVERNMENT, EXCEPT FINANCE	4
92	CORRECTIONS	1
95	ADMINISTRATION OF ENVIRONMENTAL QUALITY AND HOUSING PROGRAMS	1
97	MILITARY	3

Fees/Costs	FY2001	FY2002	Annualized Aggregate
EIQ Fees	$ 7,376,020	$ 7,376,020	$ 7,376,020
Cost of EIQ Preparation	$ 2,825,000	$ 2,825,000	$ 2,825,000
Totals	$10,201,020	$ 10,201,020	$10,201,020

IV. ASSUMPTIONS

1. The cost to the facility of filling out the EIQ is held constant at the 1996 value of $2,825,000, assuming that the cost of EIQ preparation occurs in the last half of FY 2001.

2. Cost and effected entity estimates are based on data presently entered in the tracking systems of the Air Pollution Control Program. This data is subject to change as additional information is continuously entered and as data is reviewed. Fees for private entities are based on $25.70 per ton of regulated air pollutant.

3. The Phase I utility boilers will begin paying emission fees for emissions in fiscal year 2001 for emissions in calendar year 2000. Thus an increase in emission fees will occur during this time. This increase will be approximately 30% or $1.8 million statewide (public and private).

4. Private entity costs are for the entire rule rather than just the amendment. Private entity costs for this amendment are not expected to substantially exceed the previous amendment fiscal note since the emissions fee is held constant at $25.70 per ton of regulated air pollutant. The costs in this fiscal note are to provide information and to provide fee collection estimates. The costs are based on the most recent data available to the department and are expected to be more accurate than previous fiscal notes for the same fiscal years.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 10—General Licensure Requirements

PROPOSED RULE

13 CSR 15-10.070 Alzheimer's Demonstration Projects

PURPOSE: This rule is being promulgated to describe the general requirements and process by which project participants will be selected in order to implement Alzheimer's Demonstration Projects in accordance with section 198.086, RSMo Supp. 1999.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4 RSMo. Such material will be provided at the cost established by state law.

(1) For the purposes of this rule, "Health care facilities for persons with Alzheimer's disease or Alzheimer's related dementia" means facilities that are specifically designed and operated to provide elderly individuals who have chronic confusion or dementia illness, or both, with a safe, structured but flexible environment that encourages physical activity through a well-developed recreational and aging-in-place activity program.

(2) Participation in the Alzheimer's Demonstration Projects will be solicited by the Division of Aging by letter to all providers currently licensed by the division and to all interested parties who have advised the division of their interest. The solicitation letter will advise all recipients of the criteria to be used in making the selection and will be sent in advance of the selection with sufficient mailing time allowed for the submission of proposals by the date specified.

(3) Potential project participants must respond to the solicitation letter within thirty (30) days of the date received. The division must receive proposals by the date specified in the solicitation letter in order for the proposals to be considered. Proposals must address the criteria contained in the letter.

(4) The criteria utilized to select Alzheimer's Demonstration Project participants will be developed by a committee appointed by the director of the Division of Aging consisting of representatives of providers, consumers and professionals in the long-term care industry who possess knowledge of the provision of treatment to individuals with Alzheimer's disease or other related dementias.

(5) Proposals submitted will be screened initially for the ability of project applicants to comply with the minimum requirements set forth in section 198.086, RSMo Supp. 1999. Such applicants must provide supported assurances of their ability to achieve initial and continued compliance with all such requirements in order to be included in the final selection. Proposals from project applicants which are determined to not meet the minimum requirements shall be removed from consideration.

(6) The proposals submitted by applicants which remain after the initial screening shall be reviewed to determine whether all required components, as set forth in this rule, are addressed. Proposals which are determined to have not addressed all required components shall be removed from consideration.

(7) Proposals remaining shall be reviewed by the director of the Division of Aging and initial selections made. Selections for participants will be finalized only after the applicant reasonably demonstrates the financial capacity necessary to effectively implement and maintain the facility and program described in the proposal.

(8) Project participants selected for the demonstration projects shall be notified by the division within sixty (60) days from the date by which proposals shall be submitted to the division.

(9) All facilities selected to participate in the demonstration projects shall demonstrate the ability to comply with the following minimum requirements set forth in section 198.086, RSMo Supp. 1999:

(A) Each health care facility for persons with Alzheimer's disease or other related dementias shall maintain substantial compliance with all regulations under which they are licensed or certified. A facility may request an exception to a state licensure regulation in accordance with 13 CSR 15-10.010(4);

(B) Facilities shall design and implement self-care, productive and leisure activity programs for individuals with Alzheimer's or other related dementias. These programs shall continually strive to promote the highest practicable physical and mental abilities and functioning of each resident;

(C) The facility may admit to the demonstration project facility only persons who have been diagnosed with Alzheimer's disease or other related dementia and for whom it has been determined that the facility is able to meet their needs. The determination of whether a facility is able to meet a resident's needs shall be made in consultation between the resident's physician, family members or health care advocates;

(D) Facilities shall designate a contiguous portion of the facility as the demonstration project site, unless such facility exclusively admits individuals with Alzheimer's or other related dementias as part of the demonstration project. All designated demonstration project beds shall be located within this designated contiguous portion of the facility;

(E) Facilities shall design and implement a resident environment which promotes the maintenance of the residents' social abilities through daily and frequent opportunities for socialization and appropriate activities. The residential environment shall be designed and utilized in such a way as to reflect the individual preferences of residents and to provide as much independence and opportunities for choices throughout a day as possible;

(F) A Minimum Data Set (MDS) assessment shall be completed for any resident who occupies a bed designated for demonstration project participants. The MDS must be completed within fourteen (14) days of admission and every ninety (90) days thereafter. The MDS must also be completed whenever a significant change in condition occurs. For the purposes of this rule, "significant change" means a change in medical condition or in cognitive or psychosocial functioning which requires a change or modification in services or treatments provided in order to maintain the individual at the highest practicable level of functioning;

(G) Facilities shall be staffed twenty-four (24) hours a day by the number and type of licensed and unlicensed personnel sufficient to insure that all the needs of residents are met throughout the day. Facilities must remain in compliance with the staffing regulations in effect for the licensure category of the facility and as established by statute and must provide any additional staffing required to insure that residents' needs are met. Facilities shall determine appropriate staffing levels by utilizing current and updated Minimum Data Set information to identify residents' needs and shall make a determination on a daily and as-needed basis regarding the number of staff required to meet these needs;

(H) Facilities shall conduct a total of at least twenty-four (24) hours of staff training for all employees providing direct care to demonstration project residents within the first thirty (30) days of employment. This training shall consist of at least six (6) hours of classroom training and two (2) hours of on-the-job training in the

special needs, care and safety of individuals with Alzheimer's disease or related dementias;

(I) Additional training provided shall address the needs, preferences and choices of the individual demonstration project residents, the degree of and the provision of assistance required with activities of daily living, the initiation of appropriate activities for residents and the promotion of each resident's rights, dignity and independence;

(J) Facilities shall utilize personal electronic monitoring devices for any resident whose physician recommends and orders the use of the device. Such orders shall be documented in the resident's health care record;

(K) The facility shall be equipped with a complete automated sprinkler system installed and maintained in accordance with the 1996 edition of the National Fire Protection Association (NFPA) 13, *Standard for the Installation of Sprinkler Systems,* or the 1996 edition of NFPA 13R, *Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height*, which are hereby incorporated by reference in this rule. The facility shall also be equipped with a complete electrically supervised fire alarm system and smoke barriers in accordance with the provisions of the 1997 *Life Safety Code for Existing Health Care Occupancy*, which code is hereby incorporated by reference in this rule; and

(L) Buildings and furnishings shall be designed to provide for residents' safety. Facilities shall have indoor and outdoor activity areas, and electronically controlled exits from the buildings and grounds to allow residents the ability to explore while preventing them from exiting the facility's grounds unattended.

(10) All demonstration project facilities shall complete the Alzheimer's Special Care Unit/Program Disclosure Form in accordance with section 198.510, RSMo Supp. 1999, and develop an informational brochure in accordance with section 198.515, RSMo Supp. 1999. These must be submitted to the division's licensure unit prior to the admission of any residents through the demonstration project and as required for licensing purposes.

(11) In addition to the minimum requirements, applicants will also be considered for selection based on their ability to provide the following:

(A) A safe environment for individuals with Alzheimer's disease and other related dementias;

(B) Admission and discharge criteria which effectively identify those individuals for whom the participant is able to effectively provide treatment services;

(C) The provision of services through a social model for the residential environment;

(D) Staffing in sufficient numbers and by appropriately qualified staff in order to meet the needs of all residents with Alzheimer's disease or other related dementias on an ongoing basis;

(E) Specialized staff training relating to the needs, care and safety of individuals with Alzheimer's disease or other related dementias;

(F) Housing arrangements designed to provide for residents' comfort and safety as well as the provision of services;

(G) Supportive services ancillary to the provision of treatment and which support the treatment provided by the facility; and

(H) Adequate financial support of the facility's demonstration project.

AUTHORITY: section 198.534, RSMo Supp. 1999. Emergency rule filed April 14, 2000, effective April 24, 2000, expires Feb. 1, 2001. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule is estimated to cost the Division of Aging $98,254 in FY 2001, $168,503 in FY 2002 and $172,598 annually thereafter for the life of the rule before adjusting for inflation. A fiscal note containing a detailed estimated cost of compliance has been filed with the secretary of state.

PRIVATE COST: This proposed rule is estimated to cost newly licensed long-term care facilities selected to participate in the Alzheimer's Demonstration Projects $2,100 biennially for the life of the rule; therefore, this will include some costs to small businesses. A fiscal note containing a detailed estimated cost of compliance has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Division of Aging, Richard C. Dunn, Director, P.O. Box 1337, Jefferson City, MO 65102-1337. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 13 - Department of Social Services

Division: 15 - Division of Aging

Chapter: 10 - General Licensure Requirements

Type of Rulemaking: Proposed Rule

Rule Number and Name: 13 CSR 15-10.070 - Alzheimer's Demonstration Projects

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
1	Division of Aging	FY-01 - $98,254 (1/2 FY)
		FY-02 - $168,503
		FY-03 - $172,598*

*Annually for the life of the rule plus 3% inflationary costs

III. WORKSHEET

FY-01: Personal Services (3.00 FTE) - one Facility Advisory Nurse III @ $40,140/year; one Facility Surveyor II @ $35,364/year; and one Program Development Specialist @ $35,364/year = $110,868 x 50% (one-half year) = $55,434. Expense & Equipment - $8,545 x 3.00 FTE = $25,635 x 50% (one-half year) = $12,817 + $30,003 (one-time only equipment and computer costs) = $42,820. FY Total - $55,434 + $42,820 = $98,254.

FY-02: Personal Services for 3.00 FTE = $110,868. On-going Expense & Equipment for 3.00 FTE = $25,635. Contract for monitoring and evaluating Alzheimer's Demonstration Projects after first year = $32,000. FY Total - $110,868 + $25,635 + $32,000 = $168,503

FY-03: Personal Services for 3.00 FTE = $114,194 ($110,868 x 1.03). On-going Expense & Equipment for 3.00 FTE = $26,404 ($25,635 x 1.03). Contract for monitoring and evaluating Alzheimer's Demonstration Projects each year = $32,000. FY Total - $114,194 + $26,404 + $32,000 = $172,598

IV. ASSUMPTIONS

1. All rules in 13 CSR 15 are integrally related. All Division 15 rules should be considered collectively to obtain a complete assessment of the costs related to any long-term care facility licensed by the Division of Aging (DA).

2. Section 198.086, RSMo (Supp. 1999) requires DA to develop and implement demonstration projects to establish a licensure category for health care facilities that wish to provide treatment to persons with Alzheimer's disease or related dementia. The demonstration projects are open to ten (10) organizations using a facility with an existing license. One demonstration project shall be a stand-alone facility of no more than 120 beds designed and operated exclusively for residents with Alzheimer's disease or related dementia. Additional organizations may apply for a new license under the demonstration project providing that there are no more than thirty (30) beds per project, with a total of not more than 300 beds being newly licensed through the demonstration projects. DA assumes that approximately 20 provider organizations will be selected to participate in the demonstration projects.

3. Three (3) FTE will be needed for the demonstration projects because section 198.086.2.(5) requires a single team of the same surveyors (2 FTE) to be assigned to inspect and survey the participating facilities as well as participating in at least quarterly monitoring visits to each project facility. A Program Development Specialist will be needed to develop regulations, policies and associated inspection criteria for this type of provider and facility.

4. Contracted monitoring services for on-going evaluation of the demonstration projects will be needed after the first year. DA estimates the cost of such services to be $32,000 per year based on historical data.

5. The information contained in this fiscal note is based on the cost projections contained in the Fiscal Notes filed for Senate Bill 326 and other historical data.

6. The aggregate cost over the life of this rule may be obtained by multiplying the estimated costs times the number of years the rule is projected to be in effect and factoring in inflationary costs of 3% per year.

7. As this rule is substantially based on the statutory requirements of Chapter 198, RSMo (Supp. 1999), a takings analysis is not required under section 536.017, RSMo (Supp. 1999). However, a takings analysis has occurred and a determination made that the proposed rule does not constitute a taking of real property under relevant state and federal laws.

8. This rule is mandated by Chapter 198, RSMo (Supp. 1999); therefore, the life of the rule cannot be determined by the Division of Aging.

9. Any other costs not identified within this fiscal note are unforeseeable and unquantifiable.

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 13 - Department of Social Services

Division: 15 - Division of Aging

Chapter: 10 - General Licensure Requirements

Type of Rulemaking: Proposed Rule

Rule Number and Name: 13 CSR 15-10.070 - Alzheimer's Demonstration Projects

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
10	Newly Licensed Long-Term	
	Health Care Facilities	FY-01 - $2,100*

* Estimated Biennial Cost of Compliance for the Life of the Rule

III. WORKSHEET

The cost associated with this rule are based on the licensure fees for long-term care facilities. The biennial licensure fees are $100 for up to 25 beds, $300 for 25 to 100 beds, and $600 for 100 or more beds. The biennial cost to participating provider facilities (which results in a corresponding increase in state revenue) is estimated at $2,100 (1 Provider Facility @ $600 + 3 Provider Facilities @ $300 + 6 Provider Facilities @ $100 = $2,100).

IV. ASSUMPTIONS

1. Section 198.086, RSMo (Supp. 1999) requires the Division of Aging (DA), in consultation with consumers, providers and other interested parties, to develop and implement demonstration projects to establish a licensure category for health care facilities that wish to provide treatment to persons with Alzheimer's disease or related dementia. As such, participation in the demonstration projects is voluntary on the part of the provider.

2. In estimating the cost of this rule, DA assumes that ten (10) newly licensed facilities would apply and be selected to participate in the Alzheimer's Demonstration Projects. DA assumes that one facility will be licensed for 120 beds, three facilities for 30 beds, three facilities for 20 beds, and three facilities for 10 beds.

3. The demonstration projects are open to ten (10) organizations using a facility with an existing license. One demonstration project shall be a stand-alone facility of no more than 120 beds designed and operated exclusively for residents with Alzheimer's disease or related dementia. Additional organizations may apply for a new license under the demonstration project providing that there are no more than thirty (30) beds per project, with a total of not more than 300 beds being newly licensed through the demonstration projects. DA assumes that approximately 20 provider organizations will be selected to participate in the demonstration projects.

4. The aggregate cost over the life of this rule may be obtained by multiplying the estimated biennial costs times the number of years the rule is projected to be in effect.

5. As this rule is substantially based on the statutory requirements of Chapter 198, RSMo (Supp. 1999), a takings analysis is not required under section 536.017, RSMo (Supp. 1999). However, a takings analysis has occurred and a determination made that the proposed rule does not constitute a taking of real property under relevant state and federal laws.

6. This rule is mandated by Chapter 198, RSMo (Supp. 1999); therefore, the life of the rule cannot be determined by the Division of Aging.

7. Any other costs not identified within this fiscal note are unforeseeable and unquantifiable.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.002 Schedules of Controlled Substances

PURPOSE: Chapter 195, RSMo states in section 195.230, RSMo that the Department of Health shall prepare a list of all drugs falling within the purview of controlled substances. Upon preparation, a copy of the list shall be filed in the Office of the Secretary of State. It also requires, in section 195.017.11, RSMo, the Department of Health to revise and republish the schedules semi-annually for two years from September 28, 1971, and annually after that.

(1) Schedules of Controlled Substances.

(A) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section. Each drug or substance has been assigned the Drug Enforcement Administration (DEA) Controlled Substances Code Number set forth opposite it.

1. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation:

A. Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide) 9815
B. Acetylmethadol 9601
C. Allylprodine 9602
D. Alphacetylmethadol (except levo alphacetylmethadol also known as levo-alpha-acetylmethadol levo-thadyl acetate or LAAM) 9603
E. Alphameprodine 9604
F. Alphamethadol 9605
G. Alpha-methylfentanyl (N-1-(alphamethyl-beta-phenyl) ethyl-4-piperidyl) propionanilide; 1-(1-methyl-2-phenylethyl)-4 ((N-propanilido) piperidine) 9814
H. Alpha-methylthiofentanyl (N-(1-methyl-2-(2-thienyl) ethyl-4-piperidinyl)-N-phenylpropanamide) 9832
I. Benzethidine 9606
J. Betacetylmethadol 9607
K. Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide) 9830
L. Beta-hydroxy-3-methylfentanyl (other name: N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide) 9831
M. Betameprodine 9608
N. Betamethadol 9609
O. Betaprodine 9611
P. Clonitazene 9612
Q. Dextromoramide 9613
R. Diampromide 9615
S. Diethylthiambutene 9616
T. Difenoxin 9168
U. Dimenoxadol 9617
V. Dimepheptanol 9618
W. Dimethylthiambutene 9619
X. Dioxaphetyl butyrate 9621
Y. Dipipanone 9622
Z. Ethylmethylthiambutene 9623
AA. Etonitazene 9624
BB. Etoxeridine 9625
CC. Furethidine 9626
DD. Hydroxypethidine 9627
EE. Ketobemidone 9628
FF. Levomoramide 9629
GG. Levophenacylmorphan 9631
HH. 3-Methylfentanyl (N-(3-methyl-1-(2-phenylethyl)-4-piperidyl)-N-phenylproanamide), its optical and geometric isomers, salts and salts of isomers 9813
II. Morpheridine 9632
JJ. 3-Methylthiofentanyl (N-((3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide) 9833
KK. MPPP (1-methyl-4-phenyl-4-propionoxypiperidine) 9661
LL. Noracymethadol 9633
MM. Norlevorphanol 9634
NN. Normethadone 9635
OO. Norpipanone 9636
PP. PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine) 9663
QQ. Para-fluorofentanyl (N-(4-fluorophenyl)-N-(1-(2-phenethyl)-4-piperidinyl) propanamide 9812
RR. Phenadoxone 9637
SS. Phenampromide 9638
TT. Phenomorphan 9647
UU. Phenoperidine 9641
VV. Piritramide 9642
WW. Proheptazine 9643
XX. Properidine 9644
YY. Propiram 9649
ZZ. Racemoramide 9645
AAA. Tilidine 9750
BBB. Thiofentanyl (N-phenyl-N-(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide 9835
CCC. Trimeperidine 9646

2. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

A. Acetorphine 9319
B. Acetyldihydrocodeine 9051
C. Benzylmorphine 9052
D. Codeine methylbromide 9070
E. Codeine-N-Oxide 9053
F. Cyprenorphine 9054
G. Desomorphine 9055
H. Dihydromorphine 9145
I. Drotebanol 9335
J. Etorphine (except hydrochloride salt) 9056
K. Heroin 9200
L. Hydromorphinol 9301
M. Methyldesorphine 9302
N. Methyldihydromorphine 9304
O. Morphine methylbromide 9305
P. Morphine methylsulfonate 9306
Q. Morphine-N-Oxide 9307
R. Myrophine 9308
S. Nicocodeine 9309
T. Nicomorphine 9312
U. Normorphine 9313
V. Pholcodeine 9314
W. Thebacon 9315

3. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation, which contains any quantity of the following hallucinogenic substances or which contains any of its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation (For purposes of paragraph (1)(A)3. of this rule only, the term isomer includes the optical, position and geometric isomers.):

A. Alpha-ethyltryptamine 7249
Some trade or other names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethenamine; 3-(2-aminobutyl)indole; alpha-ET and AET;

B. 4-bromo-2,5-dimethoxyamphetamine 7391
Some trade or other names: 4-bromo-2, 5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA;

C. 4-bromo-2,5-dimethoxyphenethylamine 7392

D. 2,5-dimethoxyamphetamine 7396
Some trade or other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA;

E. 2,5-dimethoxy-4-ethylamphetamine 7399
(Some trade or other names: DOET)

F. 4-methoxyamphetamine 7411
Some trade or other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine; PMA;

G. 5-methoxy-3,4-methylenedioxyamphetamine 7401

H. 4-methyl-2,5-dimethoxyamphetamine 7395
Some trade and other names: 4-methyl-2, 5-dimethoxy-a-methylphenethylamine; DOM; and STP;

I. 3,4-methylenedioxy amphetamine 7400

J. 3,4-methylenedioxymethamphetamine (MDMA) 7405

K. 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE and MDEA) 7404

L. N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-alpha-methyl-3,4-(methylenedioxy) phenethylamine and N-hydroxy MDA) 7402

M. 3,4,5-trimethoxy amphetamine 7390

N. Bufotenine 7433
Some trade and other names: 3-(b-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;

O. Diethyltryptamine 7434
Some trade and other names: N, N-Diethyltryptamine; DET;

P. Dimethyltryptamine 7435
Some trade or other names: DMT;

Q. Ibogaine 7260
Some trade and other names: 7-Ethyl-6,6b,7,8,9,10,12,13-octahydro-2-methoxy-6, 9-methano-5H-pyrido (1',2':1,2) azepino (5, 4-b) indole; Tabernanthe iboga;

R. Lysergic acid diethylamide 7315

S. Marihuana 7360
Some trade or other names: marijuana;

T. Mescaline 7381

U. Parahexyl 7374
Some trade or other names: 3-Hexyl-1-Hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo(b,d)pyran; Synhexyl;

V. Peyote 7415
Meaning all parts of the plant presently classified botanically as *Lophophora williamsil Lemaire*, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or extracts;

W. N-ethyl-3-piperidyl benzilate 7482

X. N-methyl-3-piperidyl benzilate 7484

Y. Psilocybin 7437

Z. Psilocyn 7438

AA. Tetrahydrocannabinols 7370
Synthetic equivalents of the substances contained in the plant or in the resinous extractives of Cannabis, sp, synthetic substances, derivatives and their isomers, or both, with similar chemical structure and pharmacological activity such as the following:

(I) D 1 cis or trans tetrahydrocannabinol and their optical isomers;

(II) D 6 cis or trans tetrahydrocannabinol and their optical isomers; and

(III) D 3, 4 cis or trans tetrahydrocannabinol and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered.);

BB. Ethylamine analog of phencyclidine 7455
Some trade or other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl)-ethylamine, cyclohexamine, PCE;

CC. Pyrrolidine analog of phencyclidine 7458
Some trade or other names: 1(1-phenylcyclohexyl)-pyrrolidine PCPy, PHP;

DD. Thiophene analog of phencyclidine 7470
Some trade or other names: 1-(1-(2-thienyl)-cyclohexyl)-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP;

EE. 1-(1-(2-thienyl)cyclohexyl) pyrrolidine 7473
Some other names: TCPy.

4. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

A. Mecloqualone 2572

B. Methaqualone 2565

5. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

A. Aminorex; 1585
Some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine;

B. Cathinone (Some trade or other names: 2-amino-1-phenyl-1-propanone, alphaaminopropiophenone, 2-aminopropiophenone and norephedrone) 1235

C. Fenethylline 1503

D. Methcathinone 1585
Some trade or other names: 2-(methylamino)-propiophenone; alpha-(methylamino)propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinine; AL-464; AL-422; AL-463 and URI 432; its salts, optical isomers and salts of optical isomers;

E. (±)cis-4-methylaminorex ((±)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) 1590

F. N-ethylamphetamine 1475

G. N,N-dimethylamphetamine 1480
(some other names: N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine), its salts, optical isomers and salts of optical isomers

6. A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture or preparation which contains any quantity of the following substances:

A. N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers 9818

B. N-(1-(2-thienyl) methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers 9834

(B) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.

1. Substances, vegetable origin or chemical synthesis. Unless specifically excepted or unless listed in another schedule, Schedule II shall include any of the following substances whether produced

directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis opium and opiate; and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, thebaine-devied butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone and their respective salts, but including the following:

A. Raw opium 9600
B. Opium extracts 9610
C. Opium fluid 9620
D. Powdered opium 9639
E. Granulated opium 9640
F. Tincture of opium 9630
G. Codeine 9050
H. Ethylmorphine 9190
I. Etorphine hydrochloride 9059
J. Hydrocodone 9193
K. Hydromorphone 9150
L. Metopon 9260
M. Morphine 9300
N. Oxycodone 9143
O. Oxymorphone 9652
P. Thebaine 9333

Any salt, compound, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1)(B)1. of this rule shall be included in Schedule II, except that these substances shall not include the isoquinoline alkaloids of opium; opium poppy and poppy straw; coca leaves 9040
and any salt, compound, derivative or preparation of coca leaves including cocaine 9041
and ecgonine 9180
and their salts, isomers, derivatives and salts of isomers and derivatives and any salt, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine 9041
or ecgonine 9180
and concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy) 9670

2. Opiates. Unless specifically excepted or unless in another schedule any of the following opiates, including its isomers, esters, ethers, salts and salts of isomers, esters and ethers whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

A. Alfentanil 9737
B. Alphaprodine 9010
C. Anileridine 9020
D. Bezitramide 9800
E. Bulk Dextropopoxyphene (Non-dosage Forms) 9273
F. Butyl-nitrite no designated number
G. Carfentanil 9743
H. Dihydrocodeine 9120
I. Diphenoxylate 9170
J. Fentanyl 9801
K. Isomethadone 9226
L. Levo-alphacetylmethadol 9220
(Some other names: levo-alphaacetylmethadol, levomethadyl acetate, LAAM) 9648
M. Levomethorphan 9210
N. Levorphanol 9220
O. Metazocine 9240
P. Methadone 9250
Q. Methadone-Intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane 9254
R. Moramide-Intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid 9802
S. Pethidine (Meperidine) 9230
T. Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine 9232
U. Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate 9233
V. Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid 9234
W. Phenazocine 9715
X. Piminodine 9730
Y. Racemethorphan 9732
Z. Racemorphan 9733
AA. Remifentanil 9739
BB. Sufentanil 9740

3. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

A. Amphetamine, its salts, optical isomers and salts of its optical isomers 1100
B. Methamphetamine, its salts, isomers and salts of its isomers 1105
C. Phenmetrazine and its salts 1631
D. Methylphenidate 1724

4. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

A. Amobarbital 2125
B. Glutethimide 2550
C. Pentobarbital 2270
D. Phencyclidine 7471
E. Secobarbital 2315

5. Hallucinogenic substances:

A. Nabilone 7379
(Another name for nabilone: (±)trans-3-(1, 1-dimethylheptyl)-6, 6a,7,8,10,10a-hexahydro-1-hydroxy-6, 6-dimethyl-9H-dibenzo(b,d) pyran-9-one.)

6. Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances:

A. Immediate precursor to amphetamine and methamphetamine:

(I) Phenylacetone 8501
Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;

B. Immediate precursors to phencyclidine (PCP):

(I) 1-phenylcyclohexylamine 7460
(II) 1-piperidinocyclohexane-carbonitrile (PCC) 8603

(C) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

1. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

A. Those compounds, mixtures or preparations in dosage unit form containing any stimulant substances listed in Schedule II

which compounds, mixtures or preparations were listed on August 25, 1971, as excepted compounds under section 308.32 and any other drug of the quantitive composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances 1405

B. Benzphetamine 1228

C. Chlorphentermine 1645

D. Clortermine 1647

E. Phendimetrazine 1615

2. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

A. Any compound, mixture or preparation containing:

(I) Amobarbital 2126

(II) Secobarbital 2316

(III) Pentobarbital 2271

or any salt thereof and one (1) or more other active medicinal ingredients which are not listed in any schedule;

B. Any suppository dosage form containing:

(I) Amobarbital 2126

(II) Secobarbital 2316

(III) Pentobarbital 2271

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

C. Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof 2100

D. Chlorhexadol 2510

E. Ketamine 7285

F. Lysergic acid 7300

G. Lysergic acid amide 7310

H. Methyprylon 2575

I. Sulfondiethylmethane 2600

J. Sulfonethylmethane 2605

K. Sulfonmethane 2610

L. Tiletamine and zolazepam or any salt thereof 7295

Some trade or other names for a tiletamine-zolazepam combination product: Telazol. Some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6-8-dihydro-1,3,8-trimethylpyrazolo-(3,4-e) (1,4)-diazepin-7(1H)-one, flupyrazapon.

3. Nalorphine 9400

4. Narcotics drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than 1.8 grams of codeine per one hundred milliliters (100 ml) or not more than ninety milligrams (90 mg) per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium 9803

B. Not more than 1.8 grams of codeine per one hundred milliliters (100 ml) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9804

C. Not more than three hundred milligrams (300 mg) of hydrocodone per one hundred milliliters (100 ml) or not more than fifteen milligrams (15 mg) per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium 9805

D. Not more than three hundred milligrams (300 mg) of hydrocodone per one hundred milliliters (100 ml) or not more than fifteen milligrams (15 mg) per dosage unit, with one (1) or more active nonnarcotic ingredients in recognized therapeutic amounts 9806

E. Not more than 1.8 grams of dihydrocodeine per one hundred milliliters (100 ml) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9807

F. Not more than three hundred milligrams (300 mg) of ethylmorphine per one hundred milliliters (100 ml) or not more than fifteen milligrams (15 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9808

G. Not more than five hundred milligrams (500 mg) of opium per one hundred milliliters (100 ml) or per one hundred grams (100 g) or not more than twenty-five milligrams (25 mg) per dosage unit, with one (1) or more active nonnarcotic ingredients in recognized therapeutic amounts 9809

H. Not more than fifty milligrams (50 mg) of morphine per one hundred milliliters (100 ml) or per one hundred grams (100 g), with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9810

5. Anabolic steroids. Unless specially excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any quantity of the following substances, including its salts, isomers and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation. DEA has assigned code 4000 for all anabolic steroids.

A. Boldenone

B. Chlorotestosterone (4-Chlortestosterone)

C. Clostebol

D. Dehydrochlormethyltestosterone

E. Dihydrotestosterone (4-Dihydrotestosterone)

F. Drostanolone

G. Ethylestrenol

H. Fluoxymesterone

I. Formebulone (Formebolone)

J. Methandienone

L. Methandranone

M. Methandriol

N. Methandrostenolone

O. Methenolone

P. Methyltestosterone

Q. Mibolerone

R. Nandrolone

S. Norethandrolone

T. Oxandrolone

U. Oxymesterone

V. Oxymetholone

W. Stanolone

X. Stanozolol

Y. Testolactone

Z. Testosterone

AA. Trenbolone

BB. Any salt, ester, or isomer of a drug or substance described or listed in this subparagraph, if that salt, ester or isomer promotes muscle growth except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of Health and Human Services for that administration.

(6) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product 7369

(Some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-6.6.9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol, or (-) -delta-9-(trans)-tetrahydrocannabinol.)

(D) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

1. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or

preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than one milligram (1 mg) of difenoxin (DEA Drug Code No. 9618) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit;

B. Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) 9278

C. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(I) Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 ml) or per one hundred grams (100 g);

(II) Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 ml) or per one hundred grams (100 g); or

(III) Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 ml) or per one hundred grams (100 g).

2. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

A. Alprazolam 2882
B. Barbital 2145
C. Bromazepam 2748
D. Camazepam 2749
E. Chloral betaine 2460
F. Chloral hydrate 2465
G. Chlordiazepoxide 2744
H. Clobazam 2751
I. Clonazepam 2737
J. Clorazepate 2768
K. Clotiazepam 2752
L. Cloxazolam 2753
M. Delorazepam 2754
N. Diazepam 2765
O. Estazolam 2756
P. Ethchlorvynol 2540
Q. Ethinamate 2545
R. Ethyl loflazepate 2758
S. Fludiazepam 2759
T. Flunitrazepam 2763
U. Flurazepam 2767
V. Halazepam 2762
W. Haloxazolam 2771
X. Ketazolam 2772
Y. Loprazolam 2773
Z. Lorazepam 2885
AA. Lormetazepam 2774
BB. Mebutamate 2800
CC. Medazepam 2836
DD. Deprobamate 2820
EE. Methohexital 2264
FF. Methylphenobarbital (Mephobarbital) 2250
GG. Midazolam 2884
HH. Nimetazepam 2837
II. Nitrazepam 2834
JJ. Nordiazepam 2838
KK. Oxazepam 2835
LL. Oxazolam 2839
MM. Paraldehyde 2585
NN. Petrichloral 2591
OO. Phenobarbital 2285
PP. Pinazepam 2883
QQ. Prazepam 2764
RR. Quazepam 2881
SS. Temazepam 2925
TT. Tetrazepam 2886
UU. Triazolam 2887
VV. Zaleplon 2781
WW. Zolpidem 2783

3. Fenfluramine. Any material, compound, mixture or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position or geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible:

A. Fenfluramine 1670

4. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

A. Cathine ((+)-norpseudoephedrine) 1230
B. Diethylpropion 1610
C. Fencamfamin 1780
D. Fenproporex 1575
E. Mazindol 1605
F. Mefenorex 1580
G. Modafinil 1680
H. Pemoline (including organometallic complexes and chelates thereof) 1530
I. Phentermine 1640
J. Pipradrol 1750
K. Sibutramine 1675
L. SPA (-)-1-dimethyamino-1,2-diphenylethane 1635

5. Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including its salts:

A. Pentazocine 9709
B. Butorphanol (including its optical isomers) 9720

6. Ephedrine. Any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers and salts of isomers:

A. Ephedrine or its salts, optical isomers or salts of optical isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers, or salts of optical isomers and therapeutically insignificant quantities of another active medicinal ingredient.

(E) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated, listed in this subsection.

1. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs and their salts:

A. Buprenorphine 9064

2. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as follows, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

A. Not more than two and five-tenths milligrams (2.5 mg) of diphenoxylate and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit.

B. Not more than one hundred milligrams (100 mg) of opium per one hundred milliliters (100 ml) or per one hundred grams (100 g).

C. Not more than five-tenths milligram (0.5 mg) of difenoxin (DEA Drug Code No. 9618) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit.

3. Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including its salts, isomers and salts of isomers:

A. Pyrovalerone 1485

(2) Excluded Nonnarcotic Substances. The following nonnarcotic substances which, under the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301), may be lawfully sold over the counter without a prescription, are excluded from all schedules pursuant to section 195.015(5), RSMo.

Excluded Nonnarcotic Products

Company	Trade Name	NDC Code	Form	Controlled Substance	mg or mg/ml
Bioline Laboratories	Theophed	00719-1945	TB	Phenobarbital	8.00
Goldline Laboratories	Guiaphed Elixir	00182-1377	EL	Phenobarbital	4.00
Goldline Laboratories	Tedrigen Tablets	00182-0134	TB	Phenobarbital	8.00
Hawthorne Products, Inc.	Choate's Leg Freeze		LQ	Chloral hydrate	246.67
Parke-Davis & Co.	Tedral	00071-0230	TB	Phenobarbital	8.00
Parke-Davis & Co.	Tedral Elixir	00071-0242	EX	Phenobarbital	40.00
Parke-Davis & Co.	Tedral S.A.	00071-0231	TB	Phenobarbital	8.00
Parke-Davis & Co.	Tedral Suspension	00071-0237	SU	Phenobarbital	80.00
Parmed Pharmacy	Asma-Ese	00349-2018	TB	Phenobarbital	8.10
Rondex Labs	Azma-Aids	00367-3153	TB	Phenobarbital	8.00
Smith Kline Consumer	Benzedrex	49692-0928	IN	Propylhexedrine	250.00
Sterling Drug, Inc.	Bronkolixir	00057-1004	EL	Phenobarbital	0.80
Sterling Drug, Inc.	Bronkotabs	00057-1005	TB	Phenobarbital	8.00
Vicks Chemical Co.	Vicks Inhaler	23900-0010	IN	I-Desoxyephedrine	113.00
White Hall Labs	Primatene (P-tablets)	00573-2940	TB	Phenobarbital	8.00

AUTHORITY: sections 195.015 and 195.195, RSMo 1994. This rule previously filed as 19 CSR 30-1.010. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $714 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.002

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.002 Schedules of Controlled Substances

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health	$714 per year with 3% inflation factor

III. WORKSHEET

Salaries	program administrator	$31.50 X 20 hours	=	$630
	clerical	$8.40 X 10 hours	=	84
				$714

IV. ASSUMPTIONS

1. The annual cost for reviewing and updating the schedules of controlled substances includes approximately 20 hours of Bureau of Narcotics and Dangerous Drugs program administrator time and 10 hours of clerical time. Salaries are projected to increase by a 3% inflation factor.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.004 List of Excepted Substances

PURPOSE: The Department of Health is authorized to except by rule any compound, mixture or preparation containing any stimulant or depressant substance if one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system is included to negate the potential for abuse. The compounds, mixtures and preparations excluded are listed in this rule.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the Office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) Excepted Stimulant or Depressant Compounds—Exempt Prescription Products. The listed drugs in dosage unit form and any other drug of the quantitative composition shown in Part 1300 to end of Title 21, the *Code of Federal Regulations*, April 1998 or which is the same except that it contains a lesser quantity of controlled substances or other substances which do not have a stimulant, depressant or hallucinogenic effect and which are restricted by law to dispensing or prescription, are excepted from the provisions of sections 195.030, 195.040, 195.050 and 195.100, RSMo as provided for in section 195.017.6(5) and 8(3), RSMo. The rules of the Drug Enforcement Administration, 21 CFR Part 1300 to the end of Title 21, are hereby incorporated by reference and made a part of this rule.

(2) Excepted Chemical Preparations—Exempt Chemical Preparations. The listed preparations in unit form and any other preparation of the quantitative composition shown in Part 1300 to end of Title 21, the *Code of Federal Regulations*, April 1998 which is the same except that it contains a lesser quantity of controlled substances or other substances which do not have a stimulant, depressant or hallucinogenic effect are excepted from the provisions of sections 195.030, 195.040, 195.050 and 195.110, RSMo as provided for in section 195.017.6(5) and 8(3), RSMo. The rules of the Drug Enforcement Administration, 21 CFR Part 1300 to the end of Title 21, are hereby incorporated by reference and made a part of this rule.

AUTHORITY: section 195.195, RSMo 1994. This rule previously filed as 19 CSR 30-1.020. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.006 List of Exempt Anabolic Steroid Products

PURPOSE: This rule maintains a list of anabolic steroid products excluded from 19 CSR 30-1.002(1)(C)5. in conformance with federal law.

(1) Persons who in the course of legitimate business handle products listed in the Table of Exempt Anabolic Steroid Products in this section shall be exempt from the registration, records, reports, prescriptions, physical security and import and export requirements associated with Schedule III substances.

(A) Trade Name	Company	NDC or DIN No.
1. Androgyn L.A.	Forest Pharmaceuticals, St. Louis, MO	0456-1005
2. Andro-Estro 90-4	Rugby Laboratories, Rockville Centre, NY	0536-1605
3. depANDROGYN	Forest Pharmaceuticals, St. Louis, MO	0456-1020
4. DEPO-T.E.	Quality Research Pharmaceuticals, Carmel, IN	52765-257
5. depTESTROGEN	Martica Pharmaceuticals, Phoenix, AZ	51698-257
6. Duomone	Wintec Pharmaceutical, Pacific, MO	52047-360
7. DURATESTRIN	W.E. Hauck, Alpharetta, GA	43797-016
8. DUO-SPAN II	Primedics Laboratories, Gardena, CA	0684-0102
9. Estratest	Solvay Pharmaceuticals, Marietta, GA	0032-1026
10. Estratest HS	Solvay Pharmaceuticals, Marietta, GA	0032-1023
11. Menogen	Sage Pharmaceuticals, Shreveport, LA	59243-570
12. Menogen HS	Sage Pharmaceuticals, Shreveport, LA	59243-560
13. PAN ESTRA TEST	Pan American Labs, Covington, LA	0525-0175
14. Premarin with Methyltestosterone	Ayerst Labs., Inc., New York, NY	0046-0879
15. Premarin with Methyltestosterone	Ayerst Labs., Inc., New York, NY	0046-0878
16. Synovex H Pellets in process	Syntex Animal Health, Palo Alto, CA	
17. Synovex H Pellets in process granulation	Syntex Animal Health, Palo Alto, CA	
18. Synovex Plus in-process granulation	Fort Dodge Animal Health, Fort Dodge, IA	
19. Synovex Plus in-process bulk pellets	Fort Dodge Animal Health, Fort Dodge, IA	
20. Testagen	Clint Pharmaceuticals, Nashville, TN	55553-257
21. TEST-ESTRO Cypionates	Rugby Laboratories, Rockville Centre, NY	0536-9470

22. Testoderm 4 mg/d	Alza Corp., Palo Alto, CA	17314-4608
23. Testoderm 6 mg/d	Alza Corp., Palo Alto, CA	17314-4609
24. Testoderm with Adhesive 6 mg/d	Alza Corp., Palo Alto, CA	17314-2836
25. Testoderm in-process film	Alza Corp., Palo Alto, CA	
26. Testoderm with Adhesive in-process film	Alza Corp., Palo Alto, CA	
27. Testosterone Cyp 50 Estradiol Cyp 2	I.D.E.-Interstate, Amityville, NY	0814-7737
28. Testosterone Cypionate-Estradiol Cypionate Injection	Best Generics, No. Miami Beach, FL	54274-530
29. Testosterone Cypionate-Estradiol Cypionate Injection	Schein Pharmaceuticals, Port Washington, NY	0364-6611
30. Testosterone Cypionate-Estradiol Cypionate Injection	Steris Labs., Inc., Phoenix, AZ	0402-0257
31. Testosterone Cypionate-Estradiol Cypionate Injection	Goldline Labs, Ft. Lauderdale, FL	0182-3069
32. Testosterone Cypionate-Estradiol Cypionate Injection	The Upjohn Co., Kalamazoo, MI	0009-0253
33. Testosterone Enanthate-Estradiol Valerate Injection	Goldline Labs., Ft. Lauderdale, FL	0182-3073
34. Testosterone Enanthate-Estradiol Valerate Injection	Schein Pharmaceuticals, Port Washington, NY	0364-6618
35. Testosterone Enanthate-Estradiol Valerate Injection	Steris Labs., Inc., Phoenix, AZ	0402-0360
36. Tilapia Sex Reversal Feed (Investigational)	Rangen, Inc., Buhl, ID	
37. Tilapia Sex Reversal Feed (Investigational)	Ziegler Brothers, Inc. Gardners, PA	

AUTHORITY: section 195.195, RSMo 1994. This rule previouly filed as 19 CSR 30-1.025. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.008 List of Excluded Veterinary Anabolic Steroid Implant Products

PURPOSE: This rule maintains a list of veterinary anabolic steroid products excluded from 19 CSR 30-1.002(1)(C)5. in conformance with federal law.

(1) The following products containing an anabolic steroid that are expressly intended for administration through implants to cattle or other nonhuman species and which have been approved by the Secretary of Health and Human Services for such administration and are excluded from all schedules pursuant to section 195.017.5, RSMo.

Trade Name	Company	DC or DIN No.
(A) Component E-H	Vetlife, Inc., Norcross, GA	021641-002
(B) Component E-H	Elanco, Scarborough, ON	01968327
(C) Component TE-S	Vetlife, Inc., Norcross, GA	021641-004
(D) Component T-H	Vetlife, Inc., Norcross, GA	021641-006
(E) Component T-S	Vetlife, Inc., Norcross, GA	021641-005
(F) F-TO	Animal Health, Upjohn International, Kalamazoo, MI	00093351
(G) Finaplix-H	Hoechst Roussel Vet, Somerville, NJ	12799-807-10
(H) Finaplix-S	Hoechst Roussel Vet, Somerville, NJ	12799-807-07
(I) Heifer-oid	Anchor Division, Boehringer Ingelheim, St. Joseph, MO	
(J) Heifer-oid	Bio-Ceutic Division, Boehringer Ingelheim, St. Joseph, MO	
(K) Heifer-oid	Ivy Laboratories, Inc., Overland Park, KS	
(L) Implus-H	The Upjohn Co., Kalamazoo, MI	0009-0434-01
(M) Implus-H	Upjohn Co., Animal Health Division, Orangeville, ON	06-0434-01 01968327
(N) Revalor-G	Hoechst Roussel Vet, Somerville, NJ	12799-811
(O) Revalor-H	Hoechst Roussel Vet, Somerville, NJ	12799-810
(P) Revalor-S	Hoechst Roussel Vet, Somerville, NJ	12799-809
(Q) Synovex H	Fort Dodge Labs, Fort Dodge, IA	0856-3901
(R) Synovex H	Syntex Laboratories, Palo Alto, CA	
(S) Synovex Plus	Fort Dodge Labs, Fort Dodge, IA	0856-3904

AUTHORITY: section 195.195, RSMo 1994 and 195.017, RSMo Supp. 1999. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RESCISSION

19 CSR 30-1.010 Schedules of Controlled Substances. Chapter 195, RSMo stated in section 195.230, RSMo that the Department of Health prepared a list of all drugs falling within the purview of controlled substances. Upon preparation, a copy of the list was filed in the Office of the Secretary of State. It also required, in section 195.017.11., RSMo, the Department of Health to revise and republish the schedules semiannually for two years from September 28, 1971, and annually after that.

PURPOSE: This rule is being rescinded because it is being renumbered and updated. Please refer to proposed rule 19 CSR 30-1.002.

AUTHORITY: section 195.195, RSMo Supp. 1993. This rule was previously filed as 13 CSR 50-130.010 and 19 CSR 10-130.010. Original rule filed Jan. 31, 1972, effective April 1, 1972. Amended: Filed Oct. 4, 1972, effective Oct. 14, 1972. Amended: Filed April 4, 1973, effective April 14, 1973. Amended: Filed Sept. 28, 1973, effective Nov. 4, 1973. Amended: Filed Jan. 3, 1974, effective Jan. 13, 1974. Amended: Filed Oct. 9, 1974, effective Oct. 19, 1974. Amended: Filed July 17, 1975, effective July 27, 1975. Amended: Filed Oct. 8, 1975, effective Oct. 18, 1975. Refiled: March 24, 1976. Amended: Filed Oct. 12, 1976, effective Jan. 13, 1977. Amended: Filed March 15, 1977, effective March 24, 1977. Amended: Filed Nov. 14, 1977, effective Nov. 6, 1977. Amended: Filed Sept. 28, 1977, effective Jan. 13, 1978. Amended: Filed March 9, 1978, effective Feb. 24, 1978. Amended: Filed Oct. 2, 1978, effective Sept. 27, 1978. Amended: Filed Nov. 14, 1978, effective June 16, 1978. Amended: Filed Nov. 14, 1978, effective Oct. 25, 1978. Amended: Filed Feb. 13, 1979, effective Feb. 9, 1979. Amended: Filed Feb. 19, 1980, effective Feb. 11, 1980. Amended: Filed Oct. 14, 1980, effective July 24, 1980. Amended: Filed Oct. 14, 1980, effective Aug. 21, 1980. Amended: Filed Oct. 14, 1981, effective Oct. 30, 1980. Amended: Filed Oct. 14, 1981, effective May 8, 1981. Amended: Filed Oct. 14, 1981, effective Aug. 20, 1981. Amended: Filed Nov. 1, 1982, effective Dec. 11, 1982. Amended: Filed Jan. 12, 1983, effective Feb. 11, 1983. Amended: Filed March 11, 1983, effective April 1, 1983. Amended: Filed Sept. 2, 1983, effective Dec. 11, 1983. Amended: Filed Nov. 7, 1983, effective Dec. 11, 1983. Amended: Filed July 12, 1984, effective Aug. 11, 1984. Amended: Filed Sept. 20, 1984, effective Nov. 11, 1984. Amended: Filed Jan. 15, 1985, effective Feb. 11, 1985. Amended: Filed May 29, 1985, effective June 27, 1985. Amended: Filed July 24, 1985, effective Aug. 26, 1985. Amended: Filed Sept. 12, 1985, effective Oct. 11, 1985. Changed to 19 CSR 10-130.010, effective Oct. 11, 1985. Amended: Filed Jan. 3, 1986, effective Jan. 16, 1986. Changed to 19 CSR 30-1.010, effective Aug. 11, 1986. Amended: Filed April 17, 1987, effective May 14, 1987. Amended: Filed July 3, 1987, effective Aug. 27, 1987. Amended: Filed May 3, 1988, effective May 26, 1988. Amended: Filed Sept. 25, 1989, effective Oct. 27, 1989. Emergency amendment filed April 3, 1991, effective April 13, 1991, expired Aug. 10, 1991. Emergency amendment filed May 1, 1991, effective May 11, 1991, expired Sept. 7, 1991. Emergency amendment filed July 23, 1991, effective Aug. 2, 1991, expired Nov. 28, 1991. Amended: Filed April 3, 1991, effective Sept. 30, 1991. Amended: Filed May 1, 1991, effective Sept. 30, 1991. Amended: Filed March 2, 1992, effective Aug. 6, 1992. Amended: Filed July 6, 1993, effective Dec. 9, 1993. Emergency amendment filed Jan. 5, 1994, effective Jan. 15, 1994, expired May 14, 1994. Amended: Filed Jan. 5, 1994, effective July 30, 1994. Rescinded: Filed April 14, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.011 Definitions

PURPOSE: This rule contains definitions which establish the intended meaning of certain terms used throughout this chapter.

(1) As used in this chapter, the following terms shall have the meanings specified:

(A) Commercial container means any bottle, jar, tube, ampule or other receptacle in which a substance is held for distribution or dispensing to an ultimate user and, in addition, any box or package in which the receptacle is held for distribution or dispensing to an ultimate user. The term commercial container does not include any package liner, package insert of other material kept with or within a commercial container, nor any carton, crate, drug or other package in which commercial containers are stored or are used for shipment of controlled substances;

(B) Controlled substances administration record means the form used to record information when administering individual drug doses to patients;

(C) Dispenser means an individual practitioner, institutional practitioner, pharmacy or pharmacist who dispenses a controlled substance;

(D) Hospice means a public agency or private organization or subdivision of either of these that is primarily engaged in providing care to dying persons and their families and meets the standards specified in 19 CSR 30-35;

(E) Hospital employee means a nurse, physician, pharmacist or other responsible patient-care employee;

(F) Individual practitioner means a physician, dentist, veterinarian, optometrist or other individual licensed, registered or otherwise permitted by the United States or Missouri to dispense a controlled substance in the course of professional practice, but does not include a pharmacist, a pharmacy or an institutional practitioner;

(G) Institutional practitioner means a hospital or other person (other than an individual) licensed, registered or otherwise permitted by the United States or Missouri to dispense a controlled substance in the course of professional practice, but does not include a pharmacy;

(H) Long-term care facility means a nursing home, retirement care, mental care, or other facility or institution which provides extended health care to resident patients;

(I) Name means the official name, common or usual name, chemical name or brand name of a substance;

(J) Nurse means a registered or licensed practical nurse licensed under Chapter 335, RSMo;

(K) Patient care areas means any area of a hospital where medical attention is rendered to a patient;

(L) Pre-hospital emergency medical service means an emergency medical services system as defined in Chapter 190, RSMo providing services to persons prior to admission to a hospital.

(M) Prescription means an order for medication which is dispensed to or for an ultimate user but does not include an order for medication which is dispensed for immediate administration to the ultimate user. (For example, an order to dispense a drug to a bed patient for immediate administration in a hospital is not a prescription.);

(N) Readily retrievable means that certain records are kept by automatic data processing systems or other electronic or mechanized record keeping systems in a manner that they can be separated out from all other records; and/or records are kept on which certain items are asterisked, redlined, highlighted or in some other manner visually identifiable apart from other items appearing on the records; and records are provided within three working days of a request;

(O) Registration means a Missouri controlled substances registration;

(P) Reregistration means a registration issued to a person who was previously registered and whose application for reregistration was received by the Department of Health prior to the expiration of the previous registration;

(Q) Temporary location registration means a registration issued to an individual practitioner who:

1. Has a current Missouri professional license to practice and is registered with the Department of Health at the address listed on his/her professional license;

2. Has a federal Drug Enforcement Administration registration that is valid in Missouri;

3. Anticipates practicing in Missouri within the next 12 months;

4. Does not practice for more than 90 consecutive calendar days at any location;

5. Maintains a record of the date(s) and location(s) of all practice activity in Missouri and makes the record available to the Bureau of Narcotics and Dangerous Drugs. This record shall be retained for two years;

6. Maintains all required controlled substance records at each location;

7. Does not receive or stock controlled substances at any location;

(R) Training program registration means a registration issued to an individual practitioner participating in a postgraduate medical education training program approved by a Missouri professional licensing board.

(2) Any term not defined in this rule shall have the definition set forth in Chapter 195, RSMo.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.013 Miscellaneous Fees

PURPOSE: This rule establishes and fixes certain fees and charges statutorily authorized to be made by the Department of Health in provisions codified in Chapters 195 and 610, RSMo.

(1) Fees for copies of public records or other documents:

(A) Copy, per page	$ 0.25
(B) Research fee, per hour	$15.00

(2) Payment of fee may be required in advance.

(3) Fees are nonrefundable.

AUTHORITY: section 195.030, RSMo Supp. 1999 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $14,085 per year with an 8% increase in requests and inflation of 3% per year calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $15,750 per year with an 8% increase in requests and inflation of 3% per year calculated. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.013

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.013 Miscellaneous Fees

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Department of Health	$14,085 per year, with 8% increase of requests and 3% inflation.

III. WORKSHEET

Cost to produce or xerox documentation per page is $0.10/page. Therefore:

15,000 X $ .10/page = $1500

* These costs have been calculated using request statistics from 1998.

Year	requests	pages	document costs	Adm. salary	Legal Counsel	Inv. salary	Clerical salary	Total Salaries
1998	6000	15000	$1,500	$2,205	$2,350	$3,225	$4,805	$12,585

Salary costs	$12,585
Paper and copying expense	1,500
	$14,085

IV. ASSUMPTIONS

1. The Bureau of Narcotics and Dangerous Drugs received approximately 6000 requests for public documents and documentation verifying registration status or past administrative actions in 1998. This required the production of approximately 15,000 pages of documentation. The number of requests increases by approximately 8 % per year.

2. Requests for public documentation require research to produce. Salaries and time of both clerical and professional office staff spent responding to such requests have been calculated.

Average time required to research and produce a response is 8 minutes. Review of information in 1998 concerning registrant history (possible administrative actions) included approximately 70 hours of Bureau of Narcotics and Dangerous Drugs administrator time, 130 hours of Senior Investigator time, 100 hours of legal counsel time, and 500 hours of clerical time were used in 1998. Salaries are; administrator ($31.50/hr), Senior Investigator ($24.81/hr), legal counsel ($23.50/hr) and clerical ($9.61/hr).

3. Costs may be incurred by governmental entities that wish to request such records. The Bureau of Narcotics and Dangerous Drugs has not documented any requests from government entities for public documents to date. This may occur in the future, but it is estimated that these requests will be negligible.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.013

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.013 Miscellaneous Fees

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$15,750 per year with 8% increase in requests and 3% inflation (estimated cost for 1999)
Facilities- 2,037	Hospitals, pharmacies, emergency medical services, nursing home kits, narcotic treatment programs, researchers, analytical labs	
Industrial- 48	Manufacturers, distributors, importers, exporters	
Any private entity or citizen	Citizens, HMO, etc.	

III. WORKSHEET
15,000 pages X $.25 = $3,750*

(8 min./request)/(60 min/ hr.) X 6000 requests = 800 hours X $15/hr = $12,000*

* These costs have been calculated using request statistics from 1998.

Year	requests	pages	document costs	Research time	Research Fee	Research Costs	Total Costs
1998	6000	15000	***$3,750****	800 hours	$15/hour	***$12,000****	**$15,750***

IV. ASSUMPTIONS
1. A fee of $ .25 per page shall be charged upon a request for public documentation or a copy of public documentation. A research fee of $15 per hour shall be charged upon request for documentation or a copy of documentation which requires a search or research of records to produce the requested information or documentation. Upon average, it takes 8 minutes of time to research each request. Dependent on a registrant's history, research must be completed by clerical or administrative staff.

2. The Bureau of Narcotics and Dangerous Drugs received approximately 6000 requests for public documents verifying registration status or past administrative actions in 1998. This required the

reproduction of approximately 15,000 pages of documentation. Requests have increased by approximately 8 % per year. It is estimated that production costs and salaries shall increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.015 Registration Fees and Implementation of Three-Year Cycle

PURPOSE: This rule establishes fees for various types of registration, a late registration fee, manner of payment, and exemption from the registration fee, and implements a conversion for registrations to last 36 months.

(1) For each registration or re-registration to—

(A) Manufacture controlled substances, the registrant shall pay a fee of $200;

(B) Distribute controlled substances, the registrant shall pay a fee of $200;

(C) Dispense controlled substances listed in Schedules II–V or to conduct research or instructional activities with those substances, the registrant shall pay a fee of $90;

(D) Conduct research or instructional activities with a controlled substance listed in Schedule I, the registrant shall pay a fee of $90;

(E) Conduct chemical analysis with controlled substances listed in any schedule, the registrant shall pay a fee of $90; and

(F) Import or export controlled substances listed in any schedule, the registrant shall pay a fee of $200;

(G) Dispense controlled substances listed in Schedules II–V by an individual practitioner who has a training program registration or a temporary location registration, the registrant shall pay an annual fee of $30.

(2) Not withstanding the provisions of (1)(A)–(G) of this rule, the following shall apply:

(A) Each registrant shall pay a fee of $30 for a registration during the first year of implementation of this rule;

(B) After the first year of implementation of this rule, the fees set forth in (1)(A)–(G) shall apply;

(C) For the first year of implementation of this rule, each registration issued shall be current and effective for a period of not less than 12 months, but not more than 36 months;

(D) Each registration received during the first year of implementation of this rule shall be randomly assigned an expiration date by a computer;

(E) Temporary location registrations and training program registrations received during the first year of implementation of this rule may be assigned to a single group, and their expiration date may be less than 12 months;

(F) Re-registrations issued during subsequent years shall be effective for 36 months.

(3) Lapsed Registration Fee. A late charge of $10 must be submitted with the original registration fee if an application is submitted more than 15 days after a previous registration has expired.

(4) Time and Method of Payment and Refunds. Registration and re-registration fees shall be paid at the time when the application for registration or re-registration is submitted for filing. Payment should be made in the form of a personal, certified or cashier's check or money order made payable to Department of Health. This is a nonrefundable processing fee. Payments made in the form of stamps, foreign currency or third-party endorsed checks will not be accepted.

(5) Persons Exempt From Fee. The Department of Health shall exempt the following persons from payment of a fee for registration or re-registration:

(A) Any official or agency of the United States Army, Navy, Marine Corps, Air Force, Coast Guard, Veterans Administration or Public Health Service who is authorized to procure or purchase controlled substances for official use;

(B) Any official, employee or other civil officer or agency of the United States or state or any political subdivision or agency who is authorized to purchase controlled substances, to obtain these substances from official stocks, to dispense or administer these substances, to conduct research, instructional activities or chemical analysis with these substances, or any combination of them, in the course of his/her official duties or employment;

(C) In order to claim exemption from payment of a registration or re-registration fee, the registrant shall apply for exemption by completing appropriate sections of the application;

(D) Exemption from payment of a registration or re-registration fee does not relieve the registrant of any other requirements or duties prescribed by law;

(E) Any registration that is exempt from payment pursuant to this section shall be valid only when authorized persons are conducting activities in the course of their official duties or employment.

AUTHORITY: sections 195.030, RSMo Supp. 1999 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities $632,660 per year. The number of applicants or registrants is expected to increase by 2% per year thereby increasing the cost to the public by 2% per year. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.015

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.015 Registration Fees and Implementation of 3 Year Cycle

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$515,040 per year with 2% increase in applicants.
Facilities- 2,037	Hospitals, pharmacies, emergency medical services, nursing home kits, narcotic treatment programs, researchers, analytical labs	$110,460 per year with 2% increase in applicants
Industrial- 48	Manufacturers, distributors, importers, exporters	$6,200 per year with 2% increase in applicants
Late fees	96 applicants x $10 late fee	$960 per year
TOTAL COSTS	**TOTAL COSTS**	**$632,660**

See page 2

III. WORKSHEET

Registrants	#	Fee	Total
Retail Pharmacies	1108	$30	$33,240
Hospitals	168	$30	$5,040
Ambulance Services	96	$30	$2,880
Dentists*	2486	$30	$74,580
D.O.'s*	1621	$30	$48,630
Podiatrists*	206	$30	$6,180
Veterinarians*	964	$30	$28,920
M.D.'s*	11497	$30	$344,910
O.D.'s*	372	$30	$11,160
Nursing Home Emergency Kits*	555	$30	$16,650
Narcotic Treatment Programs	8	$30	$240
D.O.'s--training programs*	95	$30	$2,850
M.D.'s--training programs*	1550	$30	$46,500
R.N.'s*	22	$30	$660
Teaching Institutions	8	$30	$240
Manufacturers	14	$200	$2,800
Distributors	28	$100	$2,800
Researchers	62	$30	$1,860
Analytical Labs	32	$30	$960
Importers	2	$100	$200
Exporters	4	$100	$400
Totals	**20898**		**$631,700**

Those registrants whose numbers are increasing by approximately 2 % per year are marked with an asterisk.

$10 late fee X 96 applications = $960

$631,700
+ 960
$632,660

IV. ASSUMPTIONS

1. A roster of the people or entities needing to register for controlled substance authority by submitting an application with fee is listed. The appropriate registration fee for each entity is listed.

2. The total number of registrants is estimated to increase by approximately 2% each year for the next 10 years.

3. In 1997, the Bureau of Narcotics and Dangerous Drugs received 96 applications more than 60 days after the registrant's current registration expired. Re-applications received prior to 60 days after expiration were not tracked. Based upon the 1997 late renewal figure, this would add a cost of $960 for each year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.017 Registration Process

PURPOSE: This rule establishes the period and expiration of registration, the process of applying for registration, and information required to complete an application for registration.

(1) Period of Registration.

(A) Any registration, except a re-registration, shall be current and effective for 36 months from the date issued or until the expiration date assigned at the time the registration is issued. A re-registration shall be current and effective for 36 months from the expiration date of the previous registration, provided that the application for re-registration was received prior to the expiration of the previous registration. No person who is required to be registered shall conduct any activity for which registration is required without a current registration.

(B) At the time any registration is issued, the registration shall be assigned to one of 12 groups which shall correspond to the months of the year. The expiration date of all registrations within any group shall be the last day of the month designated for that group.

(C) Registrations for manufacturers and distributors may be assigned to a single group, and the expiration date may be less than 36 months from the date the registration was issued.

(D) Temporary location registrations and training program registrations may be assigned to a single group, and the expiration date may be less than 12 months from the date the registration was issued.

(E) A certificate of registration shall be provided to the registrant which shall include the name and address of the registrant, the expiration date of the registration and a registration number for the convenience of identifying a registration or a registrant. The same registration number may be used for a new registration for the same person.

(2) Application for Registration.

(A) Any person who is required to be registered and who is not so registered may apply for registration at any time. No person required to be registered shall engage in any activity for which registration is required until the application for registration is processed and the registration is issued.

(B) Applications for registration shall be on forms designated by the Department of Health, and are incorporated into this rule by reference as follows: Form MO 580-2322. Application forms may be requested from the Missouri Department of Health, P.O. Box 570, Jefferson City, MO 65102-0570.

(C) An application form containing the original signature of the applicant must be provided to the Department of Health with any required fee.

(D) An application which does not contain or is not accompanied by the required information or fee may be denied 60 days after notifying the applicant of the deficiency.

(E) An application may be withdrawn by making a written request to the Department of Health.

(3) Application Information. All applicants shall make full, true and complete answers on the application. The Department of Health may require an applicant to submit documents or written statements of fact relevant to the application as considered necessary to determine whether the application should be granted. The failure of the applicant to provide these documents or statements within 60 days after being requested to do so shall be considered to be a waiver by the applicant of an opportunity to present these documents or facts for consideration in granting or denying the application.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $45,503 per year. Staffing salaries are expected to increase by 3% per year and expenses are expected to increase by 5% per year. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.017

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.017 Registration Process

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health	$45,503 per year with 3% inflation for salary and 5% for expenses.

III. WORKSHEET

Table 6

BNDD Staff & Salaries	#	**1998**
Administrator	1	$58,716
Pharmaceutical Cons.	1	$53,760
Investigations Administrator	1	$42,312
Investigator III	2	$67,980
Investigator II	6	$173,808
Investigator I	1	$21,408
Clerk-Typist III	1	$22,164
Clerk-Typist II	4	$65,460
TOTAL		**$505,608**

Table 7

BNDD Equip. & Expenses Budget	**1998**
Travel and vehicle expense	$25,000
Office expense	$4,900
Inst. & phys. plant expense	$150
Off. and comm. equip. purchase	$2,350
Data proc. expense & equip.	$8,400
Other expenses	$3,200
Total Expenditures	**$44,000**

Salary expenses	$ 505,608
	x .085
	$ 42,976
Equipment and expenses	$ 44,000
	- 25,000
	$ 19,000
	x .133
	$ 2,527
total	$ 42,976
	+ 2,527
	$ 45,503

IV. ASSUMPTIONS

1. It is estimated that approximately 8.5 % of the Bureau of Narcotics and Dangerous Drugs staff time (salary) and 13.3 % of the expense and equipment costs minus the travel expenses are expended on the requirements of this rule. **(See Tables 6 & 7)**

2. A 3% annual inflation factor is expected for departmental staff salaries per year. Expenses and costs of equipment are expected to increase by 5% per year.

MISSOURI DEPARTMENT OF HEALTH
BUREAU OF NARCOTICS AND DANGEROUS DRUGS

APPLICATION FOR MISSOURI CONTROLLED SUBSTANCES REGISTRATION

Name & Address - Information must be **TYPED** or **PRINTED**. Only 5 lines are allowed. Name must appear on the first line. The manner in which this information is placed on the application is the way your certificate of registration will read. Please use the address of Missouri office or practice location. **DO NOT USE** a P.O. Box, unless in conjunction with a street address. The name and address must correspond with those provided on the federal DEA application.

REGISTRANT NAME AND ADDRESS OF MISSOURI PLACE OF BUSINESS (INCLUDE ZIP CODE)

IF INFORMATION AT LEFT IS INCORRECT OR HAS CHANGED, PLEASE CORRECT BELOW.

1. _____
2. _____
3. _____
4. _____
5. _____
CITY STATE ZIP CODE

WARNING: Section 195.040 RSMo, provides that the registration of any person who furnishes false or fraudulent material information in an application may be denied, revoked or suspended.

INSTRUCTIONS FOR COMPLETING APPLICATION

1. Please **Print** or **Type** all entries in **black or blue ink.**
2. No registration may be issued unless a **completed** application form has been received **with fee ($30)** as required.
   - Original signature is required.
   - Registration fee **($30)** is a processing fee and is **non-refundable.**
   - An incomplete application will be returned for completion. This will delay processing.
3. Make check or money order payable to: **Missouri Department of Health**
4. Mail completed application and fee to: Missouri Department of Health
   Attn: **Fee Receipt Unit**
   P.O. Box 570
   Jefferson City, MO 65102-0570

1. REGISTRATION CLASSIFICATION

- Check only one class of business activity. A separate application and fee **($30)** must be submitted for each business activity at the same or different locations.
- **Practitioners** - Practitioners with multiple office locations or practice sites need only be registered at one practice location unless controlled substances will be ordered, stocked or dispensed at each location; in which case, registrations are required at all locations.
- **Registered Professional Nurses** - May administer or dispense controlled substances under a written collaborative practice arrangement or supervision agreement. The collaborating or supervising physician must also register separately at the practice site to order and stock controlled substances, including samples.

(CHECK ONE ☐ ONLY)

			☐ OD (can only prescribe)	☐ Nursing Home Emergency Kit
☐ MD	☐ DVM	☐ DPM	☐ Retail Pharmacy	☐ Narcotic Treatment Program
☐ DO	☐ DDS	☐ DMD	☐ Hospital	☐ Emergency Medical Service
☐ RN (may not prescribe controlled substances)			☐ Animal Shelter	☐ Teaching Institution (instructional purposes only)
☐ Researcher	☐ Analytical Lab			
☐ Other _____				

2. DRUG SCHEDULES: (Check all schedules in which you intend to prescribe or otherwise handle controlled substances.)

☐ Schedule 1 ☐ Schedule 2 ☐ Schedule 3 ☐ Schedule 4 ☐ Schedule 5

MO 580-2322 (12-98)

3. EXEMPT OFFICIAL

Check this box if applicant is a local, state or federal official or institution claiming exemption from fee. The address on the application must be that of the affiliated federal, state or local government entity. A registration fee is **not** required and Item 3 must be completed. **NOTE: Registering under a governmental fee-exempt registration limits the registrant's controlled substance authority to the governmental practice only. If a practitioner wishes to have controlled substance authority outside of governmental practice or site, they must pay the appropriate fee.**

☐ Check if exempt. Name of Governing unit. _____

4. LICENSURE STATUS AND HISTORY

APPLICANTS MUST ANSWER EACH OF THE FOLLOWING.

State license - A Missouri Controlled Substances Registration is based upon the applicant being in compliance with applicable federal, state and local law. Possession of a current Missouri license to practice your profession or conduct your business is required. **If you have applied for state license or a federal DEA registration and it has not been issued, complete question 4A & 4D with "pending".** If you are not required to have a federal DEA registration (nursing home emergency kit or non-prescribing veterinarian acting as an agent of another veterinarian) complete question 4D with "NA". Questions 4B and 4C must be answered. If either of the questions 4B or 4C are answered "YES," a letter of explanation and certified copies of court or appropriate documents must be attached to the application or be on file with the Bureau of Narcotics and Dangerous Drugs.

A. Are you currently licensed and registered by the state to practice your profession under laws of this state? ☐ YES ☐ NO

Enter Missouri professional license number, pharmacy permit number, hospital license number, etc. # _____

B. Has the individual applicant or any officer of the corporate applicant or any individual employed by the applicant having access to controlled substances pled guilty or nolo contendere, or been convicted of **any** violation of **any** state or federal law relating to the possession, manufacture, distribution, dispensing or prescribing of controlled substances? ☐ YES ☐ NO

If yes, attach a letter of explanation with certified copies of court documents. If you have submitted these documents to the Bureau of Narcotics and Dangerous Drugs in the past, please check "On File." ☐ On File

C. Has any state or federal controlled substances registration or any state professional license or registration held by the applicant or any application therefor or renewal thereof **ever** been surrendered, revoked, suspended, denied, restricted or placed on probation or is such action pending? ☐ YES ☐ NO

If yes, attach a letter of explanation with certified copies of administrative documents .If you have submitted these documents to the Bureau of Narcotics and Dangerous Drugs in the past, please check "On File." ☐ On File

D. Enter Federal number that has been issued to you by the Drug Enforcement Administration |_|_|_|_|_|_|_|_|_|

E. Enter Social Security number |_|_|_| – |_|_| – |_|_|_|_| **(See attached disclosure notice)**

F. Date of Birth |_|_| – |_|_| – |_|_|_|_|

G. Enter business or office phone number |_|_|_| – |_|_|_| – |_|_|_|_|

H. County of business _____

5. SIGNATURE

The application must be signed by the following. **Practitioner**: individual applicant; **hospital, surgery center or nursing home**: administrator or chief executive officer; **emergency medical service**: physician medical director; **pharmacy or other entity**: pharmacist, officer, administrator, manager, or other person authorized by entity.

PLEASE TYPE OR PRINT NAME OF INDIVIDUAL APPLICANT	TITLE OF APPLICANT

SIGNATURE OF APPLICANT	DATE APPLICATION IS SUBMITTED

Upon receipt of an approved application and fee, a registration certificate will be prepared and issued within **15 business days.** If you wish to retain a copy of this application for your records, you may make a photocopy. Your cancelled check is your receipt.

MO 580-2322 (12-98)

NOTE: Once your Missouri Controlled Substances Registration is issued, an application is automatically sent to **you at your previously registered address** 60 days prior to your expiration date. In order to receive an application, you must keep your address current by notifying:

Missouri Bureau of Narcotics and Dangerous Drugs
P.O. Box 570
Jefferson City, MO 65102-0570
(573) 751-6321 or FAX (573) 526-2569

Change of address must be submitted to Bureau of Narcotics and Dangerous Drugs **in writing, allowing 15 business days to process.**

NOTE: If an application to renew is not received by the registrant 50 days prior to the registration's expiration date, it is ultimately the responsibility of the registrant to contact the Missouri Bureau of Narcotics and Dangerous Drugs for an application for a Missouri Controlled Substances Registration.

Social Security Number Disclosure Notice

The individual signing the application must provide their social security number pursuant to state and federal law.[1] Corporations are not required to submit a social security number. Practitioners such as physicians, dentists, veterinarians, etc., are registered individually and must provide their social security number even though their practice may be incorporated.

Failure to provide your social security number will require the return of your application to you for completion. Continued failure or refusal to provide your social security number is grounds for denial of your application.

Pursuant to state and federal law, licensing authorities must assemble your social security number with other relevant information (name, address, etc.) and supply the data to the Division of Child Support Enforcement of the Missouri Department of Social Services to be used in a database for the following purposes:

(1) locating individuals who are under obligation to pay child support or provide child custody or visitation rights, against whom such an obligation is sought or to whom such an obligation is owed;

(2) identifying whether an individual who owes overdue child support or who had failed to comply with a subpoena relating to paternity or child support proceedings holds or has applied for a professional or occupational license (under certain circumstances, a person who owes overdue support or fails to comply with a subpoena relating to the above-stated proceedings may be subject to an order of a court, after notice and opportunity for hearing in that court, suspending, withholding or restricting the person's license).

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[1]Senate Bill 361, 89th General Assembly, First General Session (1997); Personal Responsibility and Work opportunity

MO 580-2322 (12-98)

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.019 Registration Location

PURPOSE: This rule establishes requirements for the physical location of a registration.

(1) A controlled substance registration shall be issued at a U.S. Postal Service street address.

(2) A controlled substance registration shall be issued to an individual practitioner at a Missouri practice location where controlled substance and other patient care activities occur, except:

(A) When an individual practitioner applies for a registration and no practice location is known, the registration shall be issued to the address where the practitioner's professional license to practice in Missouri is issued. No controlled substances shall be stocked, administered or dispensed at this location. When a practice location is determined the practitioner shall notify the Department of Health in writing, including the registrant's signature, of the address and effective date prior to conducting controlled substance activities at the practice location. No fee shall be required for this change. When the Department of Health has been notified and the change is completed, the practitioner shall have authority to stock, administer or dispense controlled substances at this location;

(B) When an individual practitioner has a temporary location registration, the registration shall be issued to the address where the practitioner's professional license to practice in Missouri is issued. A practitioner with a temporary location registration shall:

1. Have a current Missouri professional license to practice and be registered with the Department of Health at the address listed on his/her professional license;

2. Have a federal Drug Enforcement Administration registration that is valid in Missouri;

3. Anticipate practicing in Missouri within the next 12 months;

4. Not practice for more than 90 consecutive calendar days at any location;

5. Maintain a record of the date(s) and location(s) of all practice activity in Missouri and make the record available to the Bureau of Narcotics and Dangerous Drugs. This record shall be retained for two years;

6. Maintain all required controlled substance records at each location;

7. Not receive or stock controlled substances at any location.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RESCISSION

19 CSR 30-1.020 List of Excepted Substances. The Department of Health was authorized to except by rule any compound, mixture or preparation containing any stimulant or depressant substance if one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system was included to negate the potential for abuse. The compounds, mixtures and preparations excluded were listed in this rule.

PURPOSE: This rule is being rescinded because it is being renumbered and updated. Please refer to proposed rule 19 CSR 30-1.004.

AUTHORITY: section 195.195, RSMo Supp. 1989. This rule was previously filed as 13 CSR 50-130.020. Original rule filed Sept. 28, 1977, effective Jan. 13, 1978. Amended: Filed Nov. 14, 1978, effective Dec. 11, 1978. Amended: Filed Oct. 12, 1979, effective Nov. 11, 1979. Amended: Filed Oct. 14, 1981, effective Nov. 2, 1981. Amended: Filed Nov. 1, 1982, effective Dec. 11, 1982. Amended: Filed Nov. 7, 1983, effective Dec. 11, 1983. Amended: Filed Oct. 2, 1991, effective Feb. 6, 1992. Rescinded: Filed April 14, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.023 Registration Changes

PURPOSE: This rule establishes procedures for modifying an existing registration, describes the conditions under which a registration automatically terminates, and prohibits the transfer of a registration.

(1) Modification of Registration.

(A) Any registrant may apply to modify his/her registration to authorize the handling of controlled substances in additional schedules by filing an application in the same manner as an application for new registration. No fee shall be required to be paid for the modification. The application for modification shall be handled in the same manner as an application for registration.

(B) Any registrant may request to modify his or her name or address as shown on the registration provided that such a modification does not constitute a change of ownership or location. The

request shall be made in writing and no fee shall be required to be paid for the modification.

(C) When the registrant's name or address as shown on the registration changes the registrant shall notify the Department of Health in writing, including the registrant's signature, prior to or within 30 days subsequent to the effective date of the change. No fee shall be required to be paid for the modification.

(2) Termination of Registration.

(A) The registration of any person shall terminate:

1. On the expiration date assigned to the registration at the time the registration was issued;

2. If and when the person dies;

3. If and when the person ceases legal existence;

4. If and when a business changes ownership;

5. If and when the person discontinues business or changes business location, except:

A. The registration shall not terminate for 30 days from the effective date of the change if the person applies for a new registration or modification within the 30-day period;

B. The registration shall not terminate if it is a temporary location registration;

6. Upon the written request of the registrant.

(B) Any registrant who ceases legal existence or discontinues business or professional practice shall notify the Department of Health of the effective date of this action and promptly return his/her registration certificate to the Department of Health.

(3) Transfer of Registration. No registration or any authority conferred by registration shall be assigned or otherwise transferred.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RESCISSION

19 CSR 30-1.025 List of Exempt Anabolic Steroid Products. This rule maintained a list of anabolic steroid products excluded from 19 CSR 30-1.010(1)(C)5. in conformance with federal law.

PURPOSE: This rule is being rescinded because it is being renumbered and updated. Please refer to proposed rule 19 CSR 30-1.006.

AUTHORITY: section 195.015.4 RSMo Supp. 1989. Original rule filed July 6, 1993, effective Dec. 9, 1993. Rescinded: Filed April 14, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.026 Separate Registrations

PURPOSE: This rule defines the requirements for controlled substance registrations for separate activities and for separate sites, and defines when a separate registration is not required.

(1) Independent Activities. The following eight groups of activities are deemed to be independent of each other and require separate registration:

(A) Manufacturing controlled substances;

(B) Distributing controlled substances, except:

1. A dispenser distributing less than 5% of the total combined dosage units of controlled substances distributed and dispensed in a calendar year shall be exempt from obtaining a separate registration for distributing;

2. A dispenser distributing more than 5% of the total combined dosage units of controlled substances distributed and dispensed in a calendar year must obtain a separate registration as a distributor but shall be exempt from maintaining separate inventories under 19 CSR 30-1.042;

(C) Dispensing controlled substances listed in Schedules II–V;

(D) Conducting research and instructional activities with controlled substances listed in Schedule I;

(E) Conducting research with controlled substances listed in Schedules II–V;

(F) Conducting a narcotic treatment program with narcotic controlled substances listed in Schedules II–V;

(G) Conducting instructional activities with controlled substances listed in Schedules II–V;

(H) Importing controlled substances;

(I) Exporting controlled substances;

(J) Conducting chemical analysis with controlled substances listed in any schedule.

(2) No activity shall be conducted with any controlled substance in any schedule not requested for and shown on the current registration.

(3) Separate Locations. A separate registration is required for each principal place of business or professional practice at one general physical location where controlled substances are manufactured, distributed or dispensed by a person.

(A) For purposes of registration only, the following locations shall be deemed not to be places where controlled substances are manufactured, distributed or dispensed:

1. A warehouse where controlled substances are stored by or on behalf of a registered person, unless these substances are distributed directly from the warehouse to registrants other than the registered person or to persons not required to register;

2. An office used by agents of a registrant where sales of controlled substances are solicited, made or supervised but which nei-

ther contains these substances (other than substances for display purposes or lawful distribution as samples only) nor serves as a distribution point for filling sales orders;

3. An office used by a practitioner (who is registered at another location) where controlled substances are prescribed but neither administered nor otherwise dispensed as a regular part of the professional practice of the practitioner at the office and where no supplies of controlled substances are maintained;

4. A location on the immediate or contiguous property of a hospital, provided that the location is owned and operated by the hospital and controlled substances are not dispensed for use away from the location;

5. A separate location from a registered pre-hospital emergency medical service location where an emergency vehicle is housed that does not have a permanent location of operation and which rotates between locations at least every 30 days for operational reasons other than controlled substance registration;

6. A pre-hospital emergency medical service located outside the state of Missouri that renders assistance to a pre-hospital emergency medical service located in the state of Missouri under a mutual aid contract in the case of an emergency, major catastrophe or other unforeseen event that jeopardizes the ability of the local Missouri pre-hospital emergency medical service to promptly respond.

(B) A separate registration is not required for each separate practice location for an individual practitioner who has a temporary location registration.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.027 Investigative and Administrative Procedures

PURPOSE: This rule establishes procedures for the handling and disposition of information indicating violations of Chapter 195, RSMo by the Department of Health, pursuant to the mandates of section 195.040.

(1) The Department of Health may allow officers of state and federal administrative agencies to attend and participate in informal conferences conducted with Missouri controlled substances registrants, Missouri regulated chemical registrants or applicants in order to assist the Department of Health in its deliberations.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RESCISSION

19 CSR 30-1.030 Requirements for Controlled Substances Registration. This rule provided effective controls on the manufacture, distribution, prescribing, dispensing and administration of narcotics and dangerous drugs in an effort to prevent them from being diverted from their intended uses to illicit markets, abuse and misuse.

PURPOSE: This rule was evaluated as too lengthy and complex in addressing multiple issues. Each of its components or issues have been filed as separate rules for clarification and simplicity.

AUTHORITY: section 195.195, RSMo 1994. This rule was previously filed as 13 CSR 50-131.010. Original rule filed Jan. 31, 1972, effective April 1, 1972. Amended: Filed April 12, 1983, effective July 11, 1983. Amended: Filed May 31, 1989, effective Oct. 1, 1989. Amended: Filed Nov. 26, 1991, effective April 9, 1992. Amended: Filed Aug. 26, 1992, effective April 8, 1993. Amended: Filed Nov. 1, 1994, effective June 30, 1995. Rescinded: Filed April 14, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than $500 in the aggregate. All costs inherent in this rule have been assigned to each of the newly filed rules.

PRIVATE COST: This proposed rescission will not cost private entities more than $500 in the aggregate. All costs inherent in this rule have been assigned to each of the newly filed rules.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.031 Physical Security Requirements

PURPOSE: This rule requires applicants and registrants to maintain security controls and procedures to prevent theft and diversion of controlled substances.

(1) All applicants and registrants shall provide effective controls and procedures to guard against theft and diversion of controlled substances. In order to determine whether a registrant has provided effective controls against diversion, the Department of Health shall use the security requirement set forth in 19 CSR 30-1.032–19 CSR 30-1.034 as standards for the physical security controls and operating procedures necessary to prevent diversion. Substantial compliance with these standards may be deemed sufficient by the Department of Health after evaluation of the overall security system and needs of the applicant or registrant.

(2) Physical security controls shall be commensurate with the schedules and quantity of controlled substances in the possession of the registrant in normal business operations. If a controlled substance is transferred to a different schedule, or a noncontrolled substance is listed on any schedule, or the quantity of controlled substances in the possession of the registrant in normal business operations significantly increases, physical security controls shall be expanded and extended accordingly.

(3) All registrants who receive or transfer substantial quantities of controlled substances in normal business operations shall employ security procedures to guard against in-transit losses.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.032 Security for Nonpractitioners

PURPOSE: This rule describes specific actions required of nonpractitioner registrants to maintain effective security.

(1) Before distributing a controlled substance to any person who the registrant does not know to be registered to possess the controlled substance, the registrant shall make a good faith inquiry either with the federal Drug Enforcement Administration (DEA) or with the Department of Health to determine that the person is registered to possess the controlled substance.

(2) The registrant shall design and operate a system to disclose to the registrant suspicious orders of controlled substances. The registrant shall inform the Department of Health of suspicious orders when discovered by the registrant. Suspicious orders include orders of unusual size, orders deviating substantially from a normal pattern and orders of unusual frequency.

(3) The registrant shall notify the Department of Health of any theft or significant loss of any controlled substances upon discovery of this theft or loss.

(A) The registrant shall complete and submit a Report of Loss, Theft or Diversion of Controlled Substances or Regulated Chemicals to the Department of Health no later than seven business days after the discovery of such a loss. If the extent of the loss cannot be fully determined in that time frame, the registrant shall contact the Department of Health to request permission to submit an interim report and arrange for a complete report to be completed and submitted. The registrant may attach a copy of a completed Drug Enforcement Administration Loss Form in lieu of completing the back or second page of a Report of Loss, Theft or Diversion of Controlled Substances or Regulated Chemicals form. In the event of theft, diversion or suspected theft or diversion, the report submitted to the Department of Health shall be accompanied by or followed by a summary of the internal investigation performed, the outcome of the investigation, and a copy of any law enforcement agency report completed if applicable.

(B) If an insignificant amount of a controlled substance is lost during lawful activities authorized under Chapter 195, RSMo, the reason for the loss or a description of what occurred, the name of the drug and the amount lost shall be documented in writing, signed by the registrant and attached or filed with the last completed annual inventory.

(4) The registrant shall not distribute any controlled substance as a complimentary sample to any potential or current customer without the prior written request of the customer, to be used only for satisfying the legitimate medical needs of patients of the customer and only in reasonable quantities. The request must contain the name, address and registration number of the customer and the name of the specific controlled substance desired. The request shall be preserved by the registrant with other records of distribution of controlled substances. In addition, the requirements for order forms shall be complied with for any distribution of a controlled substance listed in Schedule I or II.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $106 per year with 3% inflation. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $84,270 per year with 3% inflation. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.032

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.032 Security for Non-practitioners

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health	$106 per year with 3% inflation

III. WORKSHEET

3.5 hr X $16.96/hr = $59.36
1.5 hr X $31.50/hr = +$47.25
$106.61/year

IV. ASSUMPTIONS

1. This rule describes specific security measures and actions that shall be instituted by each registrant (non-practitioner) to ensure that diversion of controlled substances shall not occur. The cost to Missouri Department of Health for the review and evaluation of security measures for non-practitioners out of the total budgetary cost for the Bureau of Narcotics and Dangerous Drugs is considered negligible as the Drug Enforcement Administration conducts inspections of security at these sites once every 3 years. The Bureau of Narcotics and Dangerous Drugs does not duplicate these inspections, but relies on the DEA's evaluations.

2. The number of thefts or losses from registrants (non-practitioner) has averaged 45 per year for the last 3 years.

3. Unless data indicates theft or diversion versus human error on accounting for the number of controlled substances, minimal time is spent on reviewing loss reports from non-practitioner registrants. It is estimated that of the 45 loss reports submitted from non-practitioners, 1.5 will require investigation. It is estimated that 3.5 hours of investigative time and 1.5 hours of administrative time would be required concerning these losses. Investigator salary is calculated as $ 16.96/hr and administrative salary is calculated as $ 31.50/hr. Staff salaries are expected to increase by 3% per year.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.032

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.032 Security for Non-practitioners

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Industrial-48	manufacturers, distributors, importers and exporters	$84,270 per year with 3% inflation.

III. WORKSHEET

1. 48 registrants X cost of security storage ($10,000/20 years = $500 / year) = **$24,000**

2. cost of security verification and documentation 48 registrants X $1,250 = **$60,000**

3. costs of compiling and preparing required Loss Reports 1/2 hour x $12/hr = $ 6

average number of losses per year reported by controlled substance registrants (large scale operations) x 45

$ 270

cost of security	$24,000
cost of security verification and documentation	60,000
cost of preparing loss reports	+ 270
	$ 84,270

IV. ASSUMPTIONS

1. This rule describes specific security measures and actions that must be instituted by each registrant (non-practitioner) to ensure that diversion of controlled substances shall not occur. The cost of security includes cost of storage units for each registrant who maintains controlled substances divided over a 20-year period. (It is assumed that such units have a life-use of 20 years.) Initial storage unit costs average $10,000 for manufacturers, distributors, etc.

2. The cost of security documentation for each registrant includes a time component times a persons salary to make registration inquiries, an estimated cost for security procedures to guard against in-transit losses, and an estimated cost for a system to disclose suspicious orders, times the number of registrants. These costs are approximately $1,250 per each registrant per year.

3. The number of thefts or diversions occurring at these sites has averaged 45 per year for the last 3 years. The cost of preparation of loss reports includes an estimated preparation time (1/2 hour) times an average salary ($12/hr) of the person (ex., industrial technician) preparing the loss report times the number of reports received by the Bureau of Narcotics and Dangerous Drugs.

4. Salaries of individuals preparing reports are expected to increase at 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RESCISSION

19 CSR 30-1.033 Hearing Procedures on Controlled Substances Registration. This rule provided procedures for Department of Health hearings to show cause why a controlled substances registration should not be denied, suspended or revoked.

PURPOSE: This rule is being rescinded due to the enactment of Senate Bill 3 during the 1995 Missouri legislative session. Senate Bill 3 required specific administrative actions and timelines which overrode the administrative requirements in this rule.

AUTHORITY: sections 195.040.11 and 195.195, RSMo Supp. 1989. Original rule filed Aug. 26, 1992, effective April 8, 1993. Rescinded: Filed April 14, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.034 Security for Practitioners

PURPOSE: This rule describes specific actions required of practitioner registrants to maintain effective security. This rule also creates and defines the form which must be used by a registrant to report any theft or loss of controlled substances to the Department of Health.

(1) Physical Security.

(A) Controlled substances listed in Schedules I and II shall be stored in a securely locked, substantially constructed cabinet.

(B) Controlled substances listed in Schedules III, IV and V shall be stored in a securely locked, substantially constructed cabinet. However, pharmacies may disperse these substances throughout the stock of noncontrolled substances in such a manner as to obstruct the theft or diversion of the controlled substances.

(C) This rule also shall apply to nonpractitioners authorized to conduct research or chemical analysis under another registration.

(2) Other Security.

(A) The registrant shall not employ as an agent or employee who has access to controlled substances any person who has been found guilty or entered a plea of guilty or *nolo contendere* in a criminal prosecution under the laws of any state or of the United States for any offense related to controlled substances or who has had an application for a state or federal controlled substance registration denied or has had his/her registration revoked or surrendered for cause at any time. For purposes of this subsection, the term for cause means a surrender in place of or as a consequence of any federal or state administrative, civil or criminal action resulting from an investigation of the individual's handling of controlled substances.

1. A registrant may apply in writing to the Department of Health for a waiver of subsection (2)(A) of this rule for a specific employee.

2. The Department of Health may issue a written waiver to any registrant upon determination that a waiver would be consistent with the public health and safety. In making this determination, the Department of Health shall consider—the duties of the employee, the circumstances surrounding the conviction, the length of time since the conviction was entered, whether a waiver has been granted by the federal Drug Enforcement Administration (DEA) pursuant to 21 CFR 1301.76, the security measures taken by the employer to prevent the theft and diversion of controlled substances, and any other factors consistent with public health and safety.

(B) A registrant shall notify the Department of Health of the theft, diversion or significant loss of any controlled substances or regulated chemicals upon discovery.

1. The registrant shall complete and submit a Report of Loss, Theft or Diversion of Controlled Substances or Regulated Chemicals to the Department of Health no later than seven business days after the discovery of such a loss. The loss report form shall be incorporated into this rule by reference. If the extent of the loss cannot be fully determined in that time frame, the registrant shall contact the Department of Health to request permission to submit an interim report and arrange for a complete report to be completed and submitted. The registrant may attach a copy of a completed Drug Enforcement Administration Loss Form in lieu of completing the back or second page of a Report of Loss, Theft or Diversion of Controlled Substances or Regulated Chemicals form. In the event of theft, diversion or suspected theft or diversion, the report submitted to the Department of Health shall be accompanied by or followed by a summary of the internal investigation performed, the outcome of the investigation, and a copy of any law enforcement agency report completed if applicable.

2. If an insignificant amount of a controlled substance is lost during lawful activities authorized under Chapter 195, RSMo, the reason for the loss or a description of what occurred, the name of the drug and the amount lost shall be documented in writing, signed by the registrant and attached or filed with the last completed annual inventory.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $10,372 per year with 3% inflation. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $31,809 per year with 3% inflation. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.034

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.034 Security for Practitioners

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health	$10,372 per year with 3% inflation factor

III. WORKSHEET

1.

Table 11
Cost for Bureau of Narcotics and Dangerous Drugs to Inspect
Security of Controlled Substances by Practitioners

Year	# Inspections of Practitioners performed by the BNDD	Time used by BNDD staff to inspect security of Controlled Substances Stored.	Salary of BNDD Investigative staff/ hour	Expenses of BNDD staff for inspecting security / year	cost / year
1998	361	15 min.	$16.96	$4,225.00	**$5,755**

3.

Costs of BNDD to investigate losses

Investigative salary	(50 hr)($16.96/hr)=	$ 848
Administrative salary	(16.5 hr)($31.50/hr)=	520
expenses		+ 718
Total		**$ 2,086**

4. **Table 18**
Security Costs for Registrants (Practitioners)

Year	# of Cabinets Used by Registrants (practitioner)	# of Cabinets Used in Hospitals	Total # of Cabinets	Cost of Secured Cabinet per year - Amortized over 20 years	Cost / year
1998	244	163	407	$6.00	**$2,442**

All public costs for rule per year:

Inspection of security	$ 5,755
Investigation of losses	2,086
Security cabinets	2,442
Preparation of loss reports	+ 89
Total	**$ 10,372**

IV. ASSUMPTIONS

1. This rule describes specific security measures that must be instituted by each registrant (practitioners) to ensure that diversion of controlled substances does not occur. The cost to Department of Health for the review and evaluation of security measures for practitioners by the Bureau of Narcotics and Dangerous Drugs for FY 1998 is calculated in **Table 11.**

2. The number of thefts or losses from registrants (practitioners) has averaged 163 per year over the last 3 years.

3. Unless data indicates a theft or diversion versus human error on accounting for the number of controlled substances, minimal time is spent on reviewing loss reports. It is estimated that of the 163 loss reports submitted from practitioners per year, 20 will require investigation. It is estimated that 50 total hours of investigative time and 16.5 total hours of administrative time are required concerning these losses. Investigator salary is calculated as an average of $ 16.96 per hour and administrative salary is calculated as an average of $ 31.50 per hour. Equipment and Expense costs are estimated at $718.

Total **$ 2,086** per year

4. This rule describes specific security measures and actions that shall be instituted by each state registrant (practitioner), to ensure that diversion of controlled substances shall not occur. The cost of security includes cost of storage units for each registrant who maintains controlled substances divided over a 20-year period. Initial storage unit costs average $120 for all registrants (practitioners). **See Table 18** Storage units for hospitals normally include a safe or locked room and a secured cabinet or cart per 30 beds. Therefore, the cost for security per hospital is $120 for either a secured cabinet or alarmed room and $120 per secured cabinet per 30 beds. The total number of cabinets utilized per year is calculated.

Total **$ 2,442** per year

5. The cost for preparation of loss reports includes an estimated time (1 hour) times an average salary for the life of the rule ($29.63/hr) of the person (usually a pharmacist) preparing

the loss report times the number of reports received by the Bureau of Narcotics and Dangerous Drugs. The number of thefts or losses experienced by state practitioners has averaged 3 per year for the last 3 years.

Total **$ 89** per year

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.034

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.034 Security for Practitioners

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$22,761 per year with 3% inflation.
Facilities- 2,037	Hospitals, pharmacies, emergency medical services, nursing home kits, narcotic treatment programs, researchers, analytical labs	$8,648 per year with 3% inflation
Waiver for convicted employee	3 total registrants a year	$400 per year with 3% inflation
TOTAL COSTS	**TOTAL COSTS**	**$31,809 per year with 3% inflation**

III. WORKSHEET

Table 9
Security Costs for Registrants (practitioner)

Year	# of Cabinets Used by Registrants (practitioner)	# of Cabinets Used in Hospitals	Total # of Cabinets	Cost of Secured Cabinet per year Amortized over 20 years	Cost / year
1998	3596	834	4430	$6.00	$26,580

Table 10
Costs to Registrants (practitioner) to Prepare Loss Reports

Year	# Controlled Substance Losses Reported by Registrants	Salary Costs to Prepare Loss Reports	Cost / year
1998	163	$29.63	$4,829

* 123 reports by facilities and 40 reports by health professionals

Costs of cabinets (amortized- per year)	$26,580
Costs to draft and submit waiver to employ	400
Costs to complete loss reports	+ 4,829
Total	**$31,809**

IV. ASSUMPTIONS

1. This rule describes specific security measures that must be instituted by each registrant (practitioner) to ensure that diversion of controlled substances does not occur. The cost of security for each registrant includes cost of storage units for controlled substances divided over a 20-year period (life of such a cabinet). Initial storage unit costs average $120 for registrants (practitioner). Costs of such cabinets is expected to rise at 3% per year. It is estimated that 10% of all practitioners and 100% of all institutions and facilities stock and distribute controlled substances. **See Table 9**

2. Storage units for hospitals normally include a safe or locked room and a secured cabinet or cart per 30 beds. Therefore, the cost for security per hospital is $120 for either a secured cabinet or alarmed room and $120 per secured cabinet per 30 beds. The total number of cabinets required is calculated. **See Table 9**

3. Approximately 3 waivers have been requested per year over the last 3 years to employ someone (who has been convicted of a criminal controlled substance violation) who will have access to controlled substances in the course of their employment with a Missouri Controlled Substances Registrant. The time used by a registrant to review and draft a waiver request averages 4.5 hours. The individual drafting the waiver request is usually a high level administrator or health professional. Therefore, a salary average of $29.63 has been estimated for this person.

$29.63/Hr x 4.5 hrs x avg. 3 waivers/year = **$400**

4. The cost for preparation of loss reports includes an estimated time (1 hour) times an average salary ($29.63/hr) of the person (usually a pharmacist) preparing the loss report times the number of reports received by the Bureau of Narcotics and Dangerous Drugs. The number of thefts or losses experienced by practitioners has averaged 163 per year for the last 3 years. **See Table 10**

MISSOURI DEPARTMENT OF HEALTH
BUREAU OF NARCOTICS AND DANGEROUS DRUGS

REPORT OF LOSS OR THEFT OF CONTROLLED SUBSTANCES OR CHEMICALS

Mail completed report to:
Missouri Department of Health
Attn: BNDD
P.O. Box 570
Jefferson City, MO 65102-0570

Missouri regulations require registrants to submit a report of any loss or theft of controlled substances or chemicals to the Missouri Bureau of Narcotics and Dangerous Drugs. Please print or type all information in blue or black ink.

NAME AND ADDRESS OF REGISTRANT (AS PRINTED ON REGISTRATION)	2. PHONE NUMBER (INCLUDE AREA CODE	3. DATE OF THEFT, LOSS OR DIVERSION (IF UNKNOWN, DATE DISCOVERED)
CITY	4. MISSOURI CONTROLLED SUBSTANCES REGISTRATION NUMBER (BNDD)	5. FEDERAL DEA REGISTRATION NUMBER
STATE ZIP CODE	6. COUNTY IN WHICH LOCATED	

7. PRINCIPAL BUSINESS OF REGISTRANT (CHECK ONE BOX **ONLY**)

☐ MD ☐ DO ☐ DPM ☐ NURSING HOME KIT ☐ DISTRIBUTOR

☐ OD ☐ DVM ☐ PHARMACY ☐ NARCOTIC TREATMENT PROGRAM ☐ IMPORTER/EXPORTER

☐ DDS ☐ DMD ☐ HOSPITAL ☐ TEACHING INSTITUTION ☐ OTHER (SPECIFY)

☐ ANP ☐ AMBULANCE ☐ MANUFACTURER _____

8. WAS THEFT REPORTED TO POLICE?	9. NAME AND TELEPHONE NUMBER OF POLICE DEPARTMENT (INCLUDE AREA CODE)
☐ YES ☐ NO	
10. NO. OF THEFTS OR LOSSES REGISTRANT HAS EXPERIENCED IN THE PAST 24 MONTHS	11. TYPE OF LOSS OR DIVERSION ☐ BREAK-IN/BURGLARY ☐ EMPLOYEE THEFT ☐ LOST IN TRANSIT ☐ ROBBERY ☐ FORGED OR FALSIFIED RECORDS ☐ OTHER (EXPLAIN)
12. NAME(S) OF INDIVIDUALS RESPONSIBLE FOR THEFT OR DIVERSION.	SOCIAL SECURITY NUMBER AND DATE OF BIRTH OF INDIVIDUAL(S) RESPONSIBLE FOR THEFT OR DIVERSION, IF KNOWN.

13. SUMMARY OF INVESTIGATION (INCLUDING COPIES OF LAW ENFORCEMENT AGENCY REPORTS WHEN APPLICABLE).

☐ ATTACHED

☐ WILL FOLLOW BY _____ .
(DATE)

MO 580-2283 (5-98) **CONTINUE ON REVERSE** **NDD-15**

LIST OF CONTROLLED SUBSTANCES LOST

TRADE NAME OF SUBSTANCE OR PREPARATION	NAME OF CONTROLLED SUBSTANCE IN PREPARATION	DOSAGE STRENGTH AND FORM	QUANTITY
Examples: Desoxyn	**Methamphetamine Hydrochloride**	**5 Mg Tablets**	**3 x 100**
Demerol	**Meperidine Hydrochloride**	**50 Mg/ml Vial**	**5 x 30 ml**
Robitussin A-C	**Codeine Phosphate**	**2 Mg/cc Liquid**	**12 pints**
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I certify that the foregoing information is correct to the best of my knowledge and belief.

PRINT NAME	SIGNATURE	TITLE	DATE

MO 580-2283 (5-98)

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RESCISSION

19 CSR 30-1.035 Requirements for Prescribing, Dispensing and Administering Controlled Substances. This rule provided effective controls for the prescribing, dispensing and administering of controlled substances to prevent diversion from lawful usage.

PURPOSE: This rule is being rescinded because it is being renumbered and updated. Please refer to proposed rule 19 CSR 30-1.060.

AUTHORITY: sections 195.040.3(2), 195.050.6 and 195.195, RSMo 1994. Original rule filed Nov. 14, 1988, effective Feb. 24, 1989. Amended: Filed Aug. 26, 1992, effective April 8, 1993. Amended: Filed Nov. 1, 1994, effective June 30, 1995. Rescinded: Filed April 14, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RESCISSION

19 CSR 30-1.036 Disposing of Unwanted Controlled Substances. This rule established procedures for disposing of unwanted controlled substances.

PURPOSE: This rule is being rescinded because greater than 50% of its contents are being amended. It has been rewritten and renumbered.

AUTHORITY: section 195.050.6, RSMo 1986. Original rule filed Jan. 18, 1989, effective April 27, 1989. Rescinded: Filed April 14, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.041 Records Requirements

PURPOSE: This rule defines the record keeping and inventory requirements for various classes of registrants.

(1) Persons Required to Keep Records.

(A) Each registrant shall maintain the records and inventory required by 19 CSR 30-1.041–19 CSR 30-1.052, except as exempted by 19 CSR 30-1.041–19 CSR 30-1.052.

(B) Registered individual practitioners and institutional practitioners are required to keep records with respect to controlled substances which are prescribed, administered or dispensed.

(C) A registered person using any controlled substance in research conducted in conformity with an exemption granted under section 505(i) or 512(j) of the federal Food, Drug and Cosmetic Act (21 U.S.C. 355(i) or 360(j)) at a registered establishment which maintains records in accordance with either of those sections is not required to keep records if s/he notifies the Department of Health of the name, address and registration number of the establishment maintaining these records.

(D) A registered person using any controlled substance in preclinical research or in teaching at a registered establishment which maintains records with respect to these substances is not required to keep records if s/he notifies the Department of Health of the name, address and registration number of the establishment maintaining the records.

(E) Notice required by subsection (1)(D) of this rule shall be given at the time the person applies for registration or re-registration and shall be made in the form of an attachment to the application, which shall be filed with the application.

(2) Maintenance of Records and Inventories. Every inventory and other record required to be kept under 19 CSR 30-1.041–19 CSR 30-1.052, shall be kept by the registrant and be available, for at least two years from the date of the inventory or record, for inspecting and copying by authorized employees of the Department of Health, except that financial and shipping records (such as invoices and packing slips, but not executed order forms) may be kept at a central location rather than at the registered location if the registrant obtains from the Department of Health approval of his/her central record keeping system and a permit to keep central records. The permit to keep central records shall be subject to the following conditions:

(A) The permit shall specify the nature of the records to be kept centrally and the exact location where the records will be kept;

(B) The registrant agrees to deliver all or any part of these records to the registered location within three working days of receipt of a written request from the Department of Health for these records and if the Department of Health chooses to do so in lieu of requiring delivery of records to the registered location, to allow authorized employees of the Department of Health to inspect the records at the central location upon request by the employees without a warrant of any kind;

(C) The failure of the registrant to perform his/her agreements under the permit shall revoke, without further action, the permit and all other such permits held by the registrant under other registrations. In the event of a revocation of other permits under subsection (2)(C) of this rule, the registrant, within 30 days after the revocation, shall comply with the requirement that all records be kept at the registered location.

(3) Each registered individual practitioner, institutional practitioner, manufacturer, distributor, importer and exporter shall maintain inventories and records of controlled substances as follows:

(A) Inventories and records of controlled substances listed in Schedules I and II shall be maintained separately from all of the records of the registrant;

(B) Inventories and records of controlled substances listed in Schedules III, IV and V shall be maintained either separately from all other records of the registrant or in a form that the information required is readily retrievable from the ordinary business records of the registrant.

(4) Each registered pharmacy shall maintain the inventories and records of controlled substances as follows:

(A) Inventories and records of all controlled substances listed in Schedules I and II shall be maintained separately from all other records of the pharmacy and prescriptions for these substances shall be maintained in a separate prescription file;

(B) Inventories and records of controlled substances listed in Schedules III, IV and V shall be maintained either separately from all other records of the pharmacy or in a form that the information required is readily retrievable from ordinary business records of the pharmacy and prescriptions for those substances shall be maintained in a separate prescription file.

AUTHORITY: sections 195.050 and 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $68,700 per year with 3% inflation. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $1,854,400 per year with 3% inflation. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.041

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.041 Records Requirements

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health and state entities which conduct activities with controlled substances	$68,700 per year with 3% inflation

III. WORKSHEET

Table 13
Records Storage System Costs for Controlled Substances Documentation
(Public Entities)

Registrants	Number of registrant / 1998	(Amortized / 10 Years) per year	Cost of Controlled Substance Records Storage per year
Pharmacies	9	$200	$1,800
Hospitals	33	$800	$26,400
Ambulance Services	121	$60	$7,260
Dentists*	69	$80	$5,520
D.O.'s*	11	$80	$880
Veterinarians*	15	$80	$1,200
M.D.'s*	228	$100	$22,800
O.D.'s*	4	$100	$400
Nursing Home Emergency Kits*	12	$20	$240
Narcotic Treatment Programs	1	$100	$100
Teaching Institutions	9	$100	$900
Researchers	42	$20	$840
Analytical Labs	18	$20	$360
			$68,700

IV. ASSUMPTIONS

1. This rule outlines storage and filing of records documenting the manufacture, distribution, administration, receipt or dispensation of controlled substances. The Department of Health reviews actual documentation. Therefore, this rule in itself does not require any expense on the part of the Department of Health.

2. The costs of record storage systems for each type of registrant who is also a state entity is outlined in **(Table 13)**. Each system is amortized over a use expectancy of 20 years. The costs to registrants for storage of all controlled substance records is calculated and the total cost is $68,700. Costs are expected to increase by 3% per year.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.041

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.041 Records Requirements

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$ 1,597,140 per year with 3% inflation.
Facilities- 2,037	Hospitals, pharmacies, emergency medical services, nursing home kits, narcotic treatment programs, researchers, analytical labs	$255,340 per year with 3% inflation
Industrial- 48	Manufacturers, distributors, importers, exporters	$1,920 per year with 3% inflation

See page 2

TOTAL COSTS.....$1,854,400

III. WORKSHEET

Table 12

Records Storage System Costs for Controlled Substances Documentation

Registrants	Number of registrant / 1998	(Amortized / 10 Years) per year	Cost of Controlled Substance Records storage per year
Retail Pharmacies	1108	$200	$221,600
Hospitals	168	$800	$13,400
Ambulance Services	96	$60	$5,760
Dentists*	2486	$80	$198,880
D.O.'s*	1621	$80	$129,680
Podiatrists*	206	$20	$4,120
Veterinarians*	964	$80	$77,120
M.D.'s*	11497	$100	$1,149,700
O.D.'s*	372	$100	$37,200
Nursing Home Emergency Kits*	555	$20	$11,100
Narcotic Treatment Programs	8	$100	$800
R.N.'s*	22	$20	$440
Teaching Institutions	8	$100	$800
Manufacturers	14	$40	$560
Distributors	28	$40	$1,120
Researchers	62	$20	$1,240
Analytical Labs	32	$20	$640
Importers	2	$40	$80
Exporters	4	$40	$160
			$1,854,400

IV. ASSUMPTIONS

1. This rule outlines the storage and filing of records documenting the manufacture, distribution, administration, receipt or dispensation of controlled substances. Costs associated with the specific filing requirements and time periods for maintenance of these records are incurred by this rule. All records involving controlled substances are required to be kept for a period of two years. The costs of record storage systems for each type of registrant are outlined in **Table 12**. Each system is amortized over a use expectancy of 10 years. The costs to registrants for storage of all controlled substance records is calculated as $1,854,400 per year. Costs are expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.042 Inventory Requirements

PURPOSE: This rule defines requirements for the form and maintenance of controlled substance inventories.

(1) General Requirements.

(A) Each inventory shall contain a complete and accurate record of all controlled substances on hand on the date the inventory was taken. Controlled substances shall be deemed to be on hand if they are in the possession of or under the control of the registrant, including substances returned by a customer, substances ordered by a customer but not yet invoiced, substances stored in a warehouse on behalf of the registrant and substances in the possession of employees of the registrant and intended for distribution as complimentary samples.

(B) A separate inventory shall be made by a registrant for each registered location. In the event controlled substances are in the possession or under the control of the registrant at a location for which s/he is not registered, the substances shall be included in the inventory of the registered location to which they are subject to control or to which the person possessing the substance is responsible. Each inventory for a registered location shall be kept at the registered location.

(C) A separate inventory shall be made by a registrant for each independent activity for which s/he is registered.

(D) A registrant may take an inventory either as of the opening of business or as of the close of business on the inventory date. The registrant shall indicate on the inventory records whether the inventory is taken as of the opening or as of the close of business and the date the inventory is taken.

(E) An inventory must be maintained in a permanent written, typewritten or printed form. An inventory taken by use of an oral recording device must be transcribed promptly.

(2) Initial Inventory Date.

(A) Every person required to keep records who is registered with the Department of Health after May 1, 1971 and who was not registered previously shall take an inventory of all stocks of controlled substances on hand on the date s/he first engages in the manufacture, distribution or dispensing of controlled substances.

(B) Compliance with federal initial inventory date requirements is deemed satisfactory. Duplicate inventories are not required.

(3) Annual Inventory Date. After the initial inventory is taken, the registrant shall take a new inventory of all stocks of controlled substances on hand at least once a year. The annual inventory may be taken on any date that is within one year of the previous annual inventory date.

(4) Inventory Date for Newly Controlled Substances. On the effective date of a rule by the Department of Health adding a substance to any schedule of controlled substances, which substance was not listed immediately prior to that date in any such schedule, every registrant required to keep records who is manufacturing, distributing or dispensing that substance shall take inventory of all stocks of the substance on hand. After that, this substance shall be included in each inventory made by the registrant.

(5) Inventories of Manufacturers. Each registered manufacturer shall include the following information in his/her inventory:

(A) For each controlled substance in bulk form to be used in (or capable of use in) the manufacture of the same or other controlled or noncontrolled substances in finished form, the name of the substance and the total quantity of the substance to the nearest metric unit weight consistent with unit size (except that for inventories made in 1971, *avoirdupois* weights may be utilized where metric weights are not readily available);

(B) For each controlled substance in the process of manufacture on the inventory date the name of the substance, the quantity of the substance in each batch, stage of manufacture, or both, identified by the batch number or other appropriate identifying number and the physical form which the substance is to take upon completion of the manufacturing process (for example, granulations, tablets, capsules or solutions), identified by the batch number or other appropriate identifying number and if possible the finished form of the substance (for example, ten milligram (10 mg) tablet or ten milligram (10 mg) concentration per fluid ounce or milliliter) and the number or volume;

(C) For each controlled substance in finished form, the name of the substance; each finished form of the substance (for example, ten milligram (10 mg) tablet or ten milligram (10 mg) concentration per fluid ounce or milliliter); the number of units or volume of each finished form in each commercial container (for example, four 100 tablet bottles or three milliliter (3 ml) vials); the number of commercial containers of each finished form (for example, four 100 tablet bottles or six three milliliter (3 ml) vials);

(D) For each controlled substance not included in subsections (5)(A)–(C) of this rule (for example, damaged, defective or impure substances awaiting disposal, substances held for quality control purposes or substances maintained for extemporaneous compoundings), the name of the substance; the total quantity of the substance to the nearest metric unit weight or the total number of units of finished form; the reason for the substance being maintained by the registrant and whether the substance is capable of use in the manufacture of any controlled substance in finished form.

(6) Inventories of Distributors. Each registered distributor shall include in his/her inventory the same information required of manufacturers in subsections (5)(C) and (D) of this rule.

(7) Inventories of Dispensers and Researchers. Each person registered to dispense or conduct research with controlled substances and required to keep records shall include in his/her inventory the same information required of manufacturers in subsections (5)(C) and (D) of this rule. In determining the number of units of each finished form of a controlled substance in a commercial container which has been opened, the dispenser shall do as follows:

(A) If the substance is listed in Schedule I or II, s/he shall make an exact count or measure of the contents;

(B) If the substance is listed in Schedule III, IV or V, s/he shall make an estimated count or measure of the contents, unless the container holds more than 1,000 tablets or capsules in which case s/he must make an exact count of the contents.

(8) Inventories of Importers and Exporters. Each registered importer or exporter shall include in his/her inventory the same information required of manufacturers in subsections (5)(A), (C) and (D) of this rule. Each registered importer and exporter who also is registered as a manufacturer or as a distributor shall include in his/her inventory as an importer or exporter only those stocks of controlled substances that actually are separated from his/her stocks as a manufacturer or as a distributor (for example, in-transit or in storage for shipment).

(9) Inventories for Chemical Analysts. Each analytical laboratory registered to conduct chemical analysis with controlled substances shall include in its inventory the same information required of manufacturers in subsections (5)(A), (C) and (D) of this rule as to

substances which have been manufactured, imported or received by the laboratory conducting the inventory. If less than one kilogram (1 kg) of any controlled substance (other than a hallucinogenic controlled substance listed in Schedule I) or less than twenty grams (20 g) of a hallucinogenic substance listed in Schedule I (other than lysergic acid diethylamide) or less than point five gram (0.5 g) of lysergic acid diethylamide, is on hand at the time of inventory, those substances need not be included in the inventory. Laboratories of the division may process up to one hundred fifty grams (150 g) of any hallucinogenic substance in Schedule I without regard to a need for an inventory of those substances.

AUTHORITY: sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $22,041 per year with 3% inflation. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $84,964 per year with 3% inflation. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.042

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.042 Inventories Requirements

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health, state medical facilities and Health professionals employed by the state who stock controlled substances	$22,041 per year with 3% inflation
Cost to Mo. Department of Health	$16,593 per year with 3% inflation
Cost to State Facilities	$4,530 per year with 3% inflation
Cost to State Employed Health Professionals	$918 per year with 3% inflation

TOTAL COSTS.....$22,041

III. WORKSHEET

1.

(55 hr/month)(12 month)($16.96/hr) + ($450)(12 months) = $16,593/yr

2.

Table 19
Cost for Registrant to Conduct Biennial Inventory of Controlled Substances
(State Entities)

Registrants	# of Registrants who Stock Controlled Substances	Average Time (hours) to Conduct Biennial Inventory	Average Salary of Individual Conducting Inventory	Cost of Conducting Biennial Inventories per year
Pharmacies	9	4	$8.23	$296
Hospitals	33	8	$8.23	$2,172
Ambulance Services	121	1	$13.17	$1,592
Dentists*	7	1	$10.97	$76
D.O.'s*	2	1	$10.97	$22
Veterinarians	2	1	$8.23	$16
M.D.'s*	23	1	$10.97	$252
Nursing Home Emergency Kits	12	1	$8.23	$98
Narcotic Treatment Programs	1	2	$19.75	$38
Teaching Institutions	9	1	$10.97	$98
Researchers	42	1	$13.17	$552
Analytical Labs	18	1	$13.17	$236
				$5,448

Audit costs	$ 16,593
Inventory costs	+ 5,448
Total	**$ 22,041**

IV. ASSUMPTIONS

1. The Department of Health conducts audits to determine security and accounting for all controlled substances stocked and distributed, administered or dispensed. The Bureau of Narcotics and Dangerous Drugs spends an average of 55 hours per month in conducting these audits. The average investigator's salary is $16.96/hour. Expenses incurred average $450 per month. This represents a cost of **$ 16,593** per year. Salaries are expected to increase by 3% per year.

2. This rule outlines the requirement of an annual inventory for registrants stocking controlled substances. The cost of maintaining an annual inventory by state entities who are registrants includes estimated time components for counting the stock on hand times the salary for the person performing the inventory times the number of registrants who maintain stocks of controlled substances. Salaries are expected to increase by 3% per year.
See Table 19

FISCAL NOTE
PRIVATE ENTITY COST

I. CSR 30-1.042

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: CSR 30-1.042 Inventories Requirements

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$25,332 per year with 3% inflation
Facilities- 2,037	Hospitals, pharmacies, emergency medical services, nursing home kits, narcotic treatment programs, researchers, analytical labs	$55,002 per year with 3% inflation
Industrial- 48	Manufacturers, distributors, importers, exporters	$4,630 per year with 3% inflation

TOTAL COSTS.....$84,964

See page 2

III. WORKSHEET

Table 14

Cost for Registrant to Conduct Biennial Inventory of Controlled Substances

Registrants	# of Registrants who Stock Controlled Substances	Average Time (hours) to Conduct Biennial Inventory	Average Salary of Individual Conducting Inventory	Cost of Conducting Biennial Inventories per year
Retail Pharmacies	1108	4	$8.23	$36,474
Hospitals	168	8	$8.23	$11,060
Ambulance Services	96	1	$13.17	$1,264
Dentists*	248	1	$10.97	$2,720
D.O.'s*	162	1	$10.97	$1,776
Podiatrists*	21	1	$10.97	$230
Veterinarians	964	1	$8.23	$7,992
M.D.'s*	1150	1	$10.97	$12,614
Nursing Home Emergency Kits	555	1	$8.23	$4,566
Narcotic Treatment Programs	8	2	$19.75	$316
Teaching Institutions	8	1	$10.97	$86
Manufacturers	14	8	$12.07	$1,350
Distributors	28	8	$12.07	$2,702
Researchers	62	1	$13.17	$816
Analytical Labs	32	1	$13.17	$420
Importers	2	8	$12.07	$192
Exporters	4	8	$12.07	$386
				$84,964

IV. ASSUMPTIONS

1. This rule outlines the requirement of an annual inventory for registrants stocking controlled substances. The cost of maintaining an annual inventory by registrants includes estimated time components for counting the stock on hand and documenting it, times a salary for the person performing the inventory times the number of registrants who maintain stocks of controlled substances.

Only 10 % of registered practitioners (physicians, dentists, podiatrists, optometrists, veterinarians, etc.) stock and dispense controlled substances. All institutions and facilities stock controlled substances.
See Table 14 Costs are expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.044 Continuing Records General Requirements

PURPOSE: This rule sets requirements for the maintenance of ongoing controlled substance records.

(1) Every registrant required to keep records shall maintain on a current basis a complete and accurate record of each such substance manufactured, imported, received, sold, delivered, exported or otherwise disposed of by him/her.

(2) Separate records shall be maintained by a registrant for each registered location except as provided in 19 CSR 30-1.041(2). In the event controlled substances are in the possession or under the control of a registrant at a location for which s/he is not registered, the substance shall be included in the records of the registered location to which they are subject to control or to which the person possessing the substance is responsible.

(3) Separate records shall be maintained by a registrant for each independent activity for which s/he is registered.

(4) In recording dates of receipt, importation, distribution, exportation or other transfers, the date on which the controlled substances are actually received, imported, distributed, exported or otherwise transferred shall be used as the date of receipt or distribution of any documents of transfer (for example, invoices or packing slips).

(5) Records must be provided to the Department of Health within three working days upon request.

AUTHORITY: sections 195.050 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $1,696 per year with 3% inflation. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $150 per year with 3% inflation. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.044

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.044 Continuing Records - General Requirements

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health, state medical facilities and Health professionals employed by the state who stock controlled substances	$1,696 per year with 3% inflation factor

III. WORKSHEET

50 requests for documentation X 2 hours review X $16.96/hr = $1,696 per year

IV. ASSUMPTIONS

1. This rule outlines basic requirements for the storage and filing of records documenting the receipt or distribution of controlled substances. Specific requirements are listed in 19 CSR 30 - 1.041. Costs generated by this rule would involve costs for the Department of Health to review copies of requested documentation.

The Bureau of Narcotics and Dangerous Drugs seldom requests that copies of documentation be mailed to the Offices of the Bureau of Narcotics and Dangerous Drugs. When this does occur, copies usually consist of invoices or prescription information. These average from 3 to 12 pages. In relation to the over 21,000 registrants that the Bureau of Narcotics and Dangerous Drugs registers, the Bureau of Narcotics and Dangerous Drugs requests such documentation approximately 50 times a year. This usually occurs as a result of the registrant not having such documentation on site or readily retrievable as required by regulation.

An investigator is estimated to spend 2 hours reviewing such documentation. An investigator's salary is $16.96/hr. Salaries are expected to increase by 3% per year.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30 – 1.044

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30 – 1.044 Continuing Records General Requirements

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$36 per year with 3% inflation.
Facilities- 2,037	Hospitals, pharmacies, emergency medical services, nursing home kits, narcotic treatment programs, researchers, analytical labs	$78 per year with 3% inflation
Industrial- 48	Manufacturers, distributors, importers, exporters	$36 per year with 3% inflation
TOTAL COSTS	**TOTAL COSTS**	**$150 per year with 3% inflation**

III. WORKSHEET

12 pages X $ .25 (cost per page) = $ 3 X 50 requests per year = $ 150 per year

- 12 requests from health professionals = $36
- 12 requests from industrial = $36
- 26 requests from facilities = $78

IV. ASSUMPTIONS

1. This rule outlines basic requirements for the storage and filing of records documenting the receipt or distribution of controlled substances. Specific requirements are listed in 19 CSR 30 - 1.041. Costs generated by this rule would involve cost to a registrant to send copies of requested documentation to the Department of Health.

The Bureau of Narcotics and Dangerous Drugs seldom requests that copies of documentation be mailed to the Offices of the Bureau of Narcotics and Dangerous Drugs. When this does occur, copies usually consist of invoices or prescription information. These average from 3 to 12 pages. In relation to the over 21,000 registrants that the Bureau of Narcotics and Dangerous Drugs registers, the Bureau of Narcotics and Dangerous Drugs requests such documentation approximately 50 times a year. This usually occurs as a result of the registrant not having such documentation on site or readily retrievable as required by regulation.

If copies are calculated at 25 cents per page, a cost of $150/year is estimated. Costs are expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.046 Records for Manufacturers, Distributors, Importers and Exporters

PURPOSE: This rule sets requirements for record keeping by manufacturers, distributors, importers and exporters of controlled substances.

(1) Records for Manufacturers. Each registered manufacturer shall maintain records with the following information:

(A) For each controlled substance in bulk form to be used in or capable of use in or being used in the manufacture of the same or other controlled or noncontrolled substances in finished form—

1. The name of the substance;

2. The quantity manufactured in bulk form by the registrant, including the date, quantity and batch or other identifying number of each batch manufactured;

3. The quantity received from other persons including the date and quantity of each receipt and the name, address and registration number of the other person from whom the substance was received;

4. The quantity imported directly by the registrant (under a registration as an importer) for use in manufacture by him/her, including the date, quantity and import permit or declaration number for each importation;

5. The quantity used to manufacture the same substance in finished form including the date and batch or other identifying number of each manufacture; the quantity used in the manufacture; the finished form (for example, ten milligram (10 mg) tablets or ten milligram (10 mg) concentration per fluid ounce or milliliter); the number of units of finished form manufactured; the quantity used in quality control; the quantity lost during manufacturing and the causes for the loss, if known; the total quantity of the substance contained in the finished form; the theoretical and actual yields and other information as is necessary to account for all controlled substances used in the manufacturing process;

6. The quantity used to manufacture other controlled and noncontrolled substances, including the name of each substance manufactured and the information required in paragraph (1)(A)5. of this rule;

7. The quantity distributed in bulk form to other persons, including the date and quantity of each distribution and the name, address and registration number of each person to whom a distribution was made;

8. The quantity exported directly by the registrant, including the date, quantity and export permit or declaration number of each exportation;

9. The quantity distributed or disposed of in any other manner by the registrant (for example, distribution of complimentary samples or by destruction) including the date and manner of distribution or disposal, the name, address and registration number of the person to whom distributed and the quantity distributed or disposed;

(B) For each controlled substance in finished form—

1. The name of the substance;

2. Each finished form (for example, ten milligram (10 mg) tablet or ten milligram (10 mg) concentration per fluid ounce or milliliter) and the number of units or volume of finished form in each commercial container (for example, 100 tablet bottle or three milliliter (3 ml) vial);

3. The number of containers of each such commercial finished form manufactured from bulk form by the registrant, including the information required in paragraph (1)(A)5. of this rule;

4. The number of units of finished forms, commercial containers, or both, received from other persons, including the date of and number of units, commercial containers, or both, in each receipt and the name, address and registration number of the person from whom the units were received;

5. The number of units of finished form, commercial containers, or both, imported directly by the registrant, including the date of and the number of units, commercial containers, or both, in each importation;

6. The number of units, commercial containers, or both, manufactured by the registrant from units in finished form received from others or imported including: the date and batch or other identifying number of each manufacture; the operation performed (for example, repackaging or relabeling); the number of units of finished form used in the manufacture, the number manufactured and the number lost during the manufacture, with the causes for these losses, if known, and other information as is necessary to account for all controlled substances used in the manufacturing process;

7. The number of commercial containers distributed to other persons including the date of and number of containers in each distribution and the name, address and registration number of the person to whom the containers were distributed;

8. The number of commercial containers exported directly by the registrant, including the date, number of containers and export permit or declaration number for each exportation;

9. The number of units of finished forms, commercial containers, or both, distributed or disposed of in any other manner by the registrant (for example, by distribution of complimentary samples or by destruction), including the date and manner of distribution or disposal, the name, address and registration number of the person to whom distributed and the quantity in finished form distributed or disposed.

(2) Records for Distributors. Each registered distributor shall maintain records with the following information for each controlled substance:

(A) The name of the substance;

(B) Each finished form (for example, ten milligram (10 mg) tablet or ten milligram (10 mg) concentration per fluid ounce or milliliter) and the number of units or volume of finished form in each commercial container (for example, 100 tablet bottle or three milliliter (3 ml) vial);

(C) The number of commercial containers of each such finished form received from other persons, including the date of and number of containers in each receipt and the name, address and registration number of the person from whom the containers were received;

(D) The number of commercial containers of each finished form imported directly by the registrant including the date of and the number of containers in each importation;

(E) The number of commercial containers of each finished form distributed to other persons, including the date of and number of containers in each distribution and the name, address and registration number of the person to whom the containers were distributed;

(F) The number of commercial containers of the finished form exported directly by the registrant, including the date of and the number of containers in each exportation;

(G) The number of units or volume of finished forms, commercial containers, or both, distributed or disposed of in any other manner by the registrant (for example, by distribution as complimentary samples) including the date and manner of distribution or disposal, the name, address and registration number of the person

to whom distributed and the quantity of the substance in finished form distributed or disposed.

(3) Records for Importers. Each registered importer shall maintain records with the following information for each controlled substance:

(A) The name of the substance;

(B) The quantity (or number of units or volume in finished form) imported, including the date, quantity (or number of units or volume) and import permit or declaration number for each importation;

(C) The quantity (or number of units or volume in finished form) distributed to other persons, including the date, quantity (or number of units or volume) of each distribution and the name, address and registration number of each person to whom a distribution was made;

(D) The quantity disposed of in any other manner by the registrant except quantities used in manufacturing by an importer under a registration as a manufacture, which quantities are to be recorded, including the date and manner of disposal and the quantity disposed.

(4) Records for Exporters. Each registered exporter shall maintain records with the following information for each controlled substance:

(A) The name of the substance;

(B) The quantity (or number of units or volume in finished form) received from other persons, including the date and quantity (or number of units or volume) of each receipt and the name, address and registration number of each person from whom the substance was received;

(C) The quantity (or number of units or volume in finished form) exported, including the date, quantity (or number of units or volume) and the export permit or declaration number for each exportation, but excluding all quantities (and numbers of units and volumes) manufactured by an exporter under a registration as a manufacture, which quantities (and numbers of units and volumes) are to be recorded;

(D) The quantity disposed of in any other manner by the registrant including the date and manner of disposal and the quantity disposed.

AUTHORITY: sections 195.050 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities $6,515 per year with 3% inflation. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.046

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.046 Records for Manufacturers, Distributors, Importers and Exporters

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Industrial- 48	Manufacturers, distributors, importers, exporters	$6,515 per year with 3% inflation

III. WORKSHEET

Table 15A
Filing Costs for Manufacturers, Distributors, Importers and Exporters

Registrants	Number of registrants in 1998	Time estimated documenting or filing for controlled substances	Average salary of person documenting or filing	Cost to document or file controlled substance functions
Manufacturers	14	12 hours	$12.07	$2,027
Distributors	28	12 hours	$12.07	$4,055
Importers	2	6 hours	$12.07	$144
Exporters	4	6 hours	$12.07	$289
				$6,515

IV. ASSUMPTIONS

1. This rule defines information required in documentation of the manufacture, distribution, import or export of controlled substances.

The cost of recordkeeping includes a time component for someone to document each controlled substance manufactured, distributed, imported or exported, times the average salary of such staff (Industrial technician), times the estimated number of times a controlled substance is manufactured, distributed, imported or exported.

This is calculated by taking the number registrants times the time spent documenting when a controlled substance is manufactured, distributed, imported or exported per year times the salary of the individual who documents this. **See Table 15A.** This cost is expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.048 Records for Practitioners and Researchers

PURPOSE: This rule sets requirements for record keeping for individual practitioners and researchers. It also sets requirements for the use of facsimile and electronic computer transmission of controlled substance prescriptions.

(1) Each individual practitioner, institutional practitioner and pharmacy shall maintain records with the following information for each controlled substance received, maintained, dispensed or disposed:

(A) The name of the substance;

(B) Each finished form (for example, ten milligram (10 mg) tablet or ten milligram (10 mg) concentration per fluid ounce or milliliter) and the number of units or volume of finished form in each commercial container (for example, 100 tablet bottle or three milliliter (3 ml) vial);

(C) The number of commercial containers of each finished form received from other persons, including the date of and number of containers in each receipt and the name, address and registration number of the person from whom the containers were received;

(D) The number of units or volume of the finished form dispensed including the name and address of the person to whom it was dispensed, the date of dispensing, the number of units or volume dispensed and the written or typewritten name or initials of the individual who dispensed or administered the substance;

(E) The number of units or volume of the finished forms, commercial containers, or both, disposed of in any other manner by the registrant, including the date and manner of disposal and the quantity of the substance in finished form disposed.

(2) Each individual practitioner shall maintain a record of the date, full name and address of the patient, the drug name, strength, dosage form and quantity for all controlled substances prescribed or administered. This record may be maintained in the patient's medical record. When the controlled substance record is maintained in the patient's medical record and the practitioner is not the custodian of the medical record, the practitioner shall make the controlled substance record available as required in 19 CSR 30-1.041 and 19 CSR 30-1.044.

(3) Individual practitioners shall maintain the records listed in subsections (1)(A)–(E) of this rule separately from patient medical records.

(4) A registrant who transfers a controlled substance to or receives a controlled substance from another registrant shall maintain a written record of the transfer which contains the following information: the date of transfer, drug name, strength, dosage form, quantity, name, address and registration number of the transferring registrant and the name, address and registration number of the receiving registrant.

(5) Drug Enforcement Administration official order forms shall be used for transfers of Schedule II controlled substances.

(6) A prescription may not be issued for an individual practitioner to obtain controlled substances for dispensing or administering to patients.

(7) Prescriptions which are transmitted by facsimile to a pharmacy for dispensing shall include the telephone number of the facsimile machine or computer from which it is sent and the date and time of transmission. Immediately after a Schedule III, IV or V prescription or a Schedule II prescription for a long-term care facility patient or hospice patient is transmitted to a pharmacy by facsimile equipment, the practitioner or the practitioner's agent shall sign and date the face of the prescription. The prescriptions shall be maintained in chronological order separately from patient medical records in a manner so each prescription is readily retrievable for inspection at the transmitting practitioner's office. In the event the facsimile is transmitted from a long-term care facility or hospital, the prescription shall be maintained at the long-term care facility or hospital in chronological order separately from the patient medical records in a manner so each prescription is readily retrievable, or maintained in the patient medical records.

(8) Any pharmacy receiving a controlled substance prescription transmitted by facsimile equipment shall maintain the facsimile copy of the prescription along with the date and time of transmission and the telephone number of the facsimile machine from which it originated, as a part of its original prescription records.

(9) Any practitioner or practitioner's agent who transmits a controlled substance prescription by electronic computer transmission shall maintain a printout of each day's transmissions. The practitioner or practitioner's agent shall verify that the information in the printout is correct and shall sign the printout.

(10) Each pharmacist who dispenses controlled substances under a prescription sent by electronic computer transmission shall verify with each practitioner on a regular basis that the prescription was authorized by the practitioner. If verification is made by telephone, the pharmacist shall document the verification on the reverse of the prescription or in the computer. If verification is made by sending the practitioner a copy of a computer printout, the practitioner shall verify, sign and return the printout to the pharmacy. The pharmacy shall maintain the verified printout in a separate file.

AUTHORITY: sections 195.050 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $554,167 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $7,477,088 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.048

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.048 Records for Practitioners and Researchers

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
State Medical Facilities	$159,579 per year with 3% inflation factor
State Employed Health Professionals	$120,220 per year with 3% inflation factor
Hospitals	$150,460 per year with 3% inflation factor
Faxing	$189 per year with 3% inflation factor
Cost for Mo. Dept. of Health to Review	$123,719 per year with 3% inflation factor

TOTAL.....$554,167

III. WORKSHEET
#2

Cost to Document or File Controlled Substance Functions

Registrants	# of practitioner 1998	Time estimated documenting or filing for controlled substances	Average salary of person documentin g or filing	Cost to document or file controlled substance functions
Pharmacies	9	3 hours	$8.23	$222
Ambulance Services	121	100 hours	$13.17	$159,357
Dentists*	69	1.5 hours	$10.97	$1,135
D.O.'s*	11	25 hours	$19.75	$5,431
Veterinarians*	15	1.5 hours	$8.23	$185
M.D.'s*	228	25 hours	$19.75	$112,575
O.D.'s*	4	1.5 hours	$10.97	$65
Researchers	42	1.5 hours	$13.17	$829
				$279,799

#3 Hospital records

Hospital pharmacy receives	(2.5 orders/week)(1/4 hr to record)(52 weeks)($8.23)(33)=	$ 8,826
Distribution to floors	(5/week)(52 weeks)(1/2 hr)($8.23)((33) =	35,306
Administration and documentation by RN on floor per every 30 beds	(10/day)(365)(1/2 min/60min)($19.75/hr)(177*) =	106,328
TOTAL		**$ 150,460**

** The number of state hospital beds licensed by Dept. of Health (5,310/ 30 = 177) for estimation*

#4 Faxing
Number of MD & DO (239)(1512 CS Rx)(.03)= 10,841 prescriptions for controlled substances transmitted by facsimile.

(10,841 prescriptions)(time spent by doctor's office staff to file 3 sec.)(pharmacy time 3 sec)= 18 hours
(18 hours) times average salary of office staff or pharmacy technician ($10.50/hr) = **$189**

#5 Computer transmission
It is not believed that any state practitioners are transmitting controlled substance prescriptions by computer

#6 BNDD budget
Dept. of Health costs to review documentation of controlled substances
BNDD budget ($515,498)(24%) = $ 123,719

Practitioner documentation	$ 279,799
Hospital documentation	150,460
Faxing costs	189
BNDD costs to review	+ 123,719
Total	**$ 554,167**

IV. ASSUMPTIONS
1. This rule defines information required in documentation of the receipt, distribution, administration, or prescribing of all controlled substances. This rule also mandates types of documentation that must be initiated and maintained under specific circumstances.

2. The cost of recordkeeping for practitioners and researchers includes a time component for someone, either office staff or nursing, to document each controlled substance prescription written, times the average salary of such staff, times the estimated average number of controlled substance prescriptions written. (Doctors in training programs are excluded as all documentation of their orders is kept at the institution where they are training. Each of these facilities is counted separately.)

This is calculated by taking the number of registrants times the number of controlled substance prescriptions written (Doctors (MD & DO) are estimated to issue 48 prescriptions per day and authorize an additional 15 refills per day. Of these 63 prescriptions, it is estimated that 10% are for controlled substances. If a doctor works 5 days per week, 48 weeks per year, then an average of 6.3 prescriptions or orders for controlled substances are written during 240 days each year by each doctor equaling **1,512** prescriptions for controlled substances each year by each doctor)
times the time spent documenting each action (1 minute) times the salary of the individual who may document this.

This has been estimated for each type of licensed professional, as the individual who can or may document this varies. (Ex. a technician files controlled substance prescriptions at a pharmacy, a nurse may document prescriptions issued with a doctor signing off, an EMT documents medications administered during an ambulance run, etc.) **See Table**

3. The cost of recordkeeping in hospital pharmacies includes estimated time components for maintaining receiving records, records of distribution to nursing units times an average technician salary ($8.23/hr) times the number of hospitals.

4. Faxed controlled substance prescriptions are estimated to be 3 % of all controlled substance prescriptions. The cost of retaining the original prescription includes a time component times a salary ($8.75/hr) for a clerical person to sign, date and file the original prescription (as signed by the physician) times the number of prescriptions faxed.

5. It is not believed that any state practitioners are transmitting controlled substance prescriptions by computer.

6. The Bureau of Narcotics and Dangerous Drugs spends an estimated 24 % of its resources reviewing and evaluating the documentation of receiving and distribution of controlled substances by practitioners. The Bureau of Narcotics and Dangerous Drugs total budget for FY 1998 was $515,498.

Total cost is **$123,719**.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.048

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.048 Records for Practitioners and Researchers

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$6,694,991 per year with 3% inflation.
Facilities- 2,037	Hospitals, pharmacies, emergency medical services, nursing home kits, narcotic treatment programs, researchers, analytical labs	$766,534 per year with 3% inflation
Faxing Costs	Faxing Costs	$10,413 per year with 3% inflation
Computer Transmissions	Computer Transmissions	$5,150 per year with 3% inflation
TOTAL	**TOTAL**	**$7,477,088 per year with 3% inflation**

III. WORKSHEET
#2

Table 15
Cost to Document or File Controlled Substance Functions

Registrants	# of practitioner 1998	Time estimated documenting or filing records for controlled substances	Average salary of person documenting or filing	Cost to document or file
Pharmacies	1108	3 hours	$8.23	$27,356
Ambulance Services	96	100 hours	$13.17	$126,432
Dentists*	2486	1.5 hours	$10.97	$40,907
D.O.'s*	1621	25 hours	$19.75	$800,368
Podiatrists*	206	1.5 hours	$10.97	$3,389
Veterinarians*	964	1.5 hours	$8.23	$11,900
M.D.'s*	11497	25 hours	$19.75	$5,676,643
O.D.'s*	372	1.5 hours	$10.97	$6,121
R.N.'s*	22	1.5 hours	$19.75	$651
Researchers	62	1.5 hours	$13.17	$1,224
				$6,694,991

#3 Hospital records

Hospital receives	(2.5 orders/week)(1/4 hr to record)(52 weeks)($8.23)(168)=	$44,935
Distributions to floors	(5/week)(52 weeks)(1/2 hr)($8.23)((168)	= $179,742
Administration and documentation by RN on floor per every 30 beds		
	(10/day)(365)(1/2 min/60min)($19.75/hr)(902*)	=$541,857
total		**$ 766,534**

* The number of hospital beds licensed by Dept. of Health (27,060/ 30 = 902) for estimation

#4 Faxing

Number of MD & DO (13,118)(1512 CS Rx)(.03)= 595,032 prescriptions for controlled substances transmitted by facsimile.

(595,032 prescriptions)(time spent by doctor's office staff to file 3 sec.)(pharmacy time 3 sec)= 991 hours
(991 hours) times average salary of office staff or pharmacy technician ($10.50/hr) = **$10,413**

#5 Computer transmission

It is estimated that 50 physicians are transmitting controlled substance prescriptions by computer to 20 pharmacies for dispensing. Each pharmacy must produce and send a report each month to each practitioner for verification. With no overlap, 12,000 reports are being sent yearly.
It is estimated that each report costs 10 cents to print. It is estimated that each practitioner's office spends 1 minute reviewing such reports.

(12,000 reports)(10 cents) + (12,000 reports)(1min/60)($19.75) = **$5,150**

Practitioner documentation	$6,694,991
Hospital documentation	766,534
Faxing costs	10,413
Computer transmission costs	+ 5,150
Total	**$7,477,088**

IV. ASSUMPTIONS

1. This rule defines information required in documentation of the receipt, distribution, administration, or prescribing of all controlled substances. This rule also mandates types of documentation that must be initiated and maintained under specific circumstances.

2. The cost of recordkeeping for practitioners and researchers includes a time component for someone, either office staff or nursing, to document each controlled substance prescription written, times the average salary of such staff, times the estimated average number of controlled substance prescriptions written. (Doctors in training programs are excluded as all documentation of their orders are kept at the institution where they are training. Each of these facilities is counted separately.)

This is calculated by taking the number of registrants times the number of controlled substance prescriptions written (Doctors (MD & DO) are estimated to issue 48 prescriptions per day and authorize an additional 15 refills per day. Of these 63 prescriptions, it is estimated that 10% are for controlled substances. If a doctor works 5 days per week, 48 weeks per year, then an average of 6.3 prescriptions or orders for controlled substances are written during 240 days each year by each doctor equaling **1,512** prescriptions for controlled substances each year by each doctor)
times the time spent documenting each action (1 minute) times the salary of the individual who may document this.

This has been estimated for each type of licensed professional, as the individual who can or may document this varies. (Ex. a technician files controlled substance prescriptions at a pharmacy, a nurse may document prescriptions issued with a doctor signing off, an EMT documents medications administered during an ambulance run, etc.) **See Table 15**.

Total cost is **$6,694,991** per year.

3. The cost of recordkeeping in hospital pharmacies includes estimated time components for maintaining receiving records, records of distribution to nursing units times an average technician salary ($8.23/hr) times the number of hospitals.

Total cost is **$ 766,534**

4. Faxed controlled substance prescriptions are estimated to be 3 % of all controlled substance prescriptions. The cost of retaining the original prescription includes a time component times a salary ($8.75/hr) for a clerical person to sign, date and file the original prescription (as signed by the physician) times the number of prescriptions faxed.

Total cost is **$10,413**.

5. The cost of recordkeeping related to controlled substance prescriptions transmitted by computer includes a cost for each report printed to be sent to the prescribing practitioner for review and a time component times an average salary for review and verification of the reports by the practitioner.

Total cost is **$5,150**.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.050 Records for Chemical Analysts

PURPOSE: This rule sets requirements for record keeping for chemical analyst registrants.

(1) Each person registered to conduct chemical analysis with controlled substances shall maintain records with the following information (to the extent known and reasonably ascertainable by him/her) for each controlled substance:

(A) The name of the substance;

(B) The form(s) in which the substance is received, imported or manufactured by the registrant (for example, powder, granulation, tablet, capsule or solution) and the concentration of the substance in that form (for example, Chemically Pure (CP), United States Pharmacopeia (USP), National Formulary (NF), ten milligram (10 mg) tablet or ten milligram (10 mg) concentration per milliliter);

(C) The total number of the forms received, imported or manufactured (for example 100 tablets, 30 one milliliter (1 ml) vials or ten grams (10 g) powder), including the date and quantity of each receipt, importation or manufacture and the name, address and registration number, if any, of the person from whom the substance was received; and

(D) The quantity distributed, exported or destroyed in any manner by the registrant (except quantities used in chemical analysis or other laboratory work), including the date and manner of distribution, exportation or destruction and the name, address and registration number, if any, of each person to whom the substance was distributed or exported.

(2) Order forms, import and export permits, import invoices and export declarations relating to controlled substances shall be maintained separately from all other records of the registrant.

(3) Records of controlled substances used in chemical analysis or other laboratory work are not required.

(4) Records relating to known or suspected controlled substances received as samples for analysis are not required under section (1) of this rule.

AUTHORITY: sections 195.050 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $1,185 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $2,107 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.050

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.050 Records for Chemical Analysts

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
State chemical analysts who conduct activities with controlled substances and the Department of Health	$1,185 per year with 3% inflation

III. WORKSHEET

The cost of recordkeeping includes a time component (5 hours/year) for lab staff to document each controlled substance transaction or function, times the average salary of such staff ($13.17/hr) which is $1,185 for the 18 state labs in Missouri.

(5 hr)($13.17/hr)(18 labs) = $1,185 per year

IV. ASSUMPTIONS

1. This rule defines the fields of information required in documentation of the receipt, distribution, or use in chemical analysis of all controlled substances. This rule also mandates types of documentation that must be initiated and maintained.

There are 18 state analytical labs currently registered to conduct functions with controlled substances. It is estimated that each lab will utilize 5 hours per year in the documentation of controlled substance transactions or functions. The cost of recordkeeping for includes a time component (5 hours/year) for lab staff to document each controlled substance transaction or function, times the average salary of such staff ($13.17/hr) for the 18 labs in Missouri. Salaries are expected to increase by 3% per year.

2. The Bureau of Narcotics and Dangerous Drugs spends a negligible amount of time monitoring analytical labs as they use very small amounts of controlled substances as testing reagents. Therefore no cost is budgeted.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.050

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.050 Records for Chemical Analysts

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
chemical analysts who conduct activities with controlled substances - 32		$2,107 per year with 3% inflation.

III. WORKSHEET

The cost of recordkeeping includes a time component (5 hours/year) for lab staff to document each controlled substance transaction or function, times the average salary of such staff ($13.17/hr) which is $2,107 for the 32 labs in Missouri.

(5 hr)($13.17/hr)(32 labs) = $2,107 per year

IV. ASSUMPTIONS

1. This rule defines information required in documentation of the receipt, distribution, or use in chemical analysis of controlled substances. This rule also mandates types of documentation that must be initiated and maintained.

There are 32 private analytical labs registered to conduct functions with controlled substances. It is estimated that each lab will utilize 5 hours per year in the documentation of controlled substance transactions or functions.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.052 Records for Long-Term Care Facilities (LTCF)

PURPOSE: This rule sets requirements for record keeping by long-term care facility registrants.

(1) Long-term care facilities (LTCFs) and their suppliers shall maintain written records of transfers of controlled substances from the supplier to the LTCF emergency kit.

(2) The records shall include the date of transfer; the name of each controlled substance, the strength, dosage form and quantity; the name, address and controlled substance registration number of the supplier and the name, address and controlled substance registration number of the LTCF. Federal Drug Enforcement Administration (DEA) official order forms shall not be used to record transfers of controlled substances to LTCF emergency kits.

(3) No physician's order or prescription shall be used for initial stocking or replacement of controlled substances in the emergency kit. Controlled substances contained in the kit shall be obtained from a pharmacy, hospital or practitioner who holds a controlled substances registration.

(4) The administration and medical staff of the LTCF, in conjunction with the primary supplier, shall designate in written protocols and procedures who may have access to the emergency kit, who may administer controlled substances from the emergency kit and under what circumstances and a list of the controlled substances it intends to maintain in the emergency kit. These protocols and procedures shall be subject to review and approval by the Department of Health. Only those individuals designated in the LTCF's written policies and procedures shall have access to or administer controlled substances from the emergency kit.

(5) Each administration of controlled substances from the emergency kit shall be based upon a practitioner's order and shall be recorded in an administration record separate from the patient's medical record. This administration record shall include: the date, patient's name, drug name, drug strength, dosage, ordering practitioner's name and name of the person administering the controlled substance.

AUTHORITY: sections 195.050 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $2,485 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $87,690 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.052

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.052 Records for Long-Term Care Facilities

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
State Long Term Care facilities with emergency kits containing controlled substances .	$1,896 per year with 3% inflation factor
BNDD Investigation Expenses	$589 per year with 3% inflation factor
TOTAL	**$2,485 per year with 3% inflation factor**

III. WORKSHEET

(estimated 8 hours per year spent documenting receipt and administration of controlled substances to and from emergency kits) x ($19.75/hour) x (12) = $1,896 per year.

LTC documentation expenses	$ 1,896
BNDD investigation expenses	+ 589
Total	**$ 2,485**

IV. ASSUMPTIONS

1. This rule outlines the storage and filing of records documenting the receipt and administration of controlled substances (to and from emergency kits only) by long-term care facilities (12). The cost of recordkeeping includes a time component for facility staff to document, times the average salary of such staff, times the number of long-term care facilities registered with emergency kits containing controlled substances.

2. The Bureau of Narcotics and Dangerous Drugs spends approximately 20 hours per year investigating possible diversion from LTC emergency kits. An investigator salary is $16.96/hr. Expenses are approximately $250 per year. Total cost each year is $589.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.052

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.052 Records for Long-Term Care Facilities

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Long Term Care facilities with emergency kits containing controlled substances - 555		$87,690 per year with 3% inflation.

III. WORKSHEET
(estimated 8 hours per year spent documenting receipt and administration of controlled substances to and from emergency kits) x ($19.75/hour) x (555) = $87,690.

IV. ASSUMPTIONS
1. This rule outlines the storage and filing of records documenting the receipt and administration of controlled substances (to and from emergency kits only) by long-term care facilities (555). The cost of recordkeeping includes a time component for facility staff to document, times the average salary of such staff , times the number of long-term care facilities registered with emergency kits containing controlled substances.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.060 Determining Lawful Prescribing, Dispensing and Administering of Controlled Substances

PURPOSE: This rule defines the statutory and regulatory basis for determining what is lawful prescribing, dispensing and administering of controlled substances.

When determining if controlled substances are being lawfully prescribed, dispensed and administered by practitioners, the Department of Health shall enforce Chapter 195, RSMo, the Department of Health rules in 19 CSR 30 pertaining to controlled substances, and the federal Controlled Substances Act 21 U.S.C. 801–966, and its regulations, 21 CFR 1300–1399. In determining lawful prescribing, dispensing and administering of controlled substances, the Department of Health also shall consider the provisions of Chapters 330, 332, 334, 335, 336, 338 and 340, RSMo, the rules in 4 CSR 110, 4 CSR 150, 4 CSR 200, 4 CSR 210, 4 CSR 220, 4 CSR 230 and 4 CSR 270, and protocols relating to the respective practitioners established and on file at the respective licensing boards.

AUTHORITY: sections 195.030, RSMo Supp. 1999 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.062 Transmission of Prescriptions

PURPOSE: This rule sets requirements governing the transmission of prescription information.

(1) Prescriptions in Schedule II. A pharmacist may dispense a controlled substance in Schedule II only under a written prescription signed by the practitioner, except as provided in section 195.060.3, RSMo. A prescription for a Schedule II controlled substance may be transmitted from the prescribing practitioner to a pharmacy by facsimile equipment or electronic computer transmission, provided the original written, signed prescription is presented to the pharmacist for review prior to the actual dispensing of the controlled substance, except that—

(A) A prescription written for a Schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion may be transmitted by the practitioner or the practitioner's agent to the pharmacy by facsimile or by electronic computer transmission. The facsimile or the computer transmission which has been reduced to writing shall serve as and shall be maintained in the same manner as an original written prescription.

(B) A prescription written for a Schedule II substance for a resident of a long-term care facility may be transmitted by the practitioner or the practitioner's agent to the pharmacy by facsimile or by electronic computer transmission. The facsimile or the computer transmission which has been reduced to writing shall serve as and shall be maintained in the same manner as an original written prescription.

(C) A prescription written for a Schedule II substance for a patient of a hospice may be transmitted by the practitioner or the practitioner's agent to the pharmacy by facsimile or by electronic computer transmission. The practitioner or the practitioner's agent shall note on the prescription that the patient is a hospice patient. The facsimile or the computer transmission which has been reduced to writing shall serve as and shall be maintained in the same manner as an original written prescription.

(2) Prescriptions in Schedule III, IV or V. A pharmacist may dispense directly a controlled substance in Schedule III, IV or V only under a written prescription signed by a practitioner or a facsimile of a written, signed prescription transmitted by the practitioner or his/her authorized agent or under an oral prescription made by an individual practitioner whether communicated by the practitioner or his/her authorized agent or a prescription transmitted by electronic computer transmission by the authorizing practitioner or the practitioner's agent to the pharmacy. All oral prescriptions and prescriptions transmitted by electronic computer transmission shall be promptly reduced to writing by the pharmacist containing all information required in section 195.060, RSMo, except for the signature of the practitioner.

(3) Written Prescriptions. All written controlled substance prescriptions shall be signed by the prescribing practitioner on the date prescribed. No controlled substance prescription shall be signed prior to the actual date it is issued.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.064 Partial Filling of Schedule II Prescriptions

PURPOSE: This rule sets requirements for the partial filling of Schedule II prescriptions.

(1) The partial filling of a prescription for a controlled substance listed in Schedule II is permissible, if the pharmacist is unable to supply the full quantity called for in a written or emergency oral prescription and s/he makes a notation of the quantity supplied on the face of the written prescription (or written record of the emergency oral prescription). The remaining portion of the prescription may be filled within 72 hours of the first partial filling; however, if the remaining portion is not or cannot be filled within the 72-hour period, the pharmacist shall so notify the prescribing individual practitioner. No further quantity may be supplied beyond 72 hours without a new prescription.

(2) A prescription for a Schedule II controlled substance written for a patient in a long-term care facility (LTCF) or for a patient with a medical diagnosis documenting a terminal illness may be filled in partial quantities to include individual dosage units. If there is any question whether a patient may be classified as having a terminal illness, the pharmacist must contact the practitioner prior to partially filling the prescription. Both the pharmacist and the prescribing practitioner have a corresponding responsibility to assure that the controlled substance is for a terminally ill patient. The pharmacist must record on the prescription whether the patient is "terminally ill" or an "LTCF patient." A prescription that is partially filled and does not contain the notation "terminally ill" or "LTCF patient" shall be deemed to have been filled in violation of Chapter 195, RSMo. For each partial filling, the dispensing pharmacist shall record on the back of the prescription (or on another appropriate record, uniformly maintained and readily retrievable) the date of the partial filling, quantity dispensed, remaining quantity authorized to be dispensed, and the identification of the dispensing pharmacist. The total quantity of Schedule II controlled substances dispensed in all partial fillings must not exceed the total quantity prescribed. Schedule II prescriptions for patients in a LTCF or patients with a medical diagnosis documenting a terminal illness shall be valid for a period not to exceed 60 days from the issue date unless sooner terminated by the discontinuance of medication.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $7 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $109 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.064

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.064 Partial Filling of Schedule II Prescriptions

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
All state health practitioners and pharmacies who conduct activities with controlled substances & Dept. of Health	$7 per year with 3% inflation.

III. WORKSHEET

(6 sec. to document partial fill of Rx by R.Ph /360 sec) x ($29.63) x (2 partial filled Rx/year) x (9 pharmacies) = $7

IV. ASSUMPTIONS

1. This rule authorizes the partial filling of a prescription for a Schedule II controlled substances. The cost of recordkeeping required of pharmacies includes a time component for the pharmacist to document each partial fill of a Schedule II controlled substance prescription, times the average salary of a pharmacist, times the estimated number of Schedule II controlled substance prescriptions partially filled.

2. The Bureau of Narcotics and Dangerous Drugs spends a negligible amount of time reviewing partial fills of Schedule II medications as it occurs so infrequently.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.064

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.064 Partial Filling of Schedule II Prescriptions

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$109 per year with 3% inflation.
Facilities- 2,037	Hospitals & pharmacies	

III. WORKSHEET
(6 sec. to document partial fill of Rx by R.Ph./360 sec) x ($29.63/hr) x (2 partial filled Rx/year) x (1108 pharmacies) = $109

IV. ASSUMPTIONS
1. This rule authorizes the partial filling of a prescription for a Schedule II controlled substance. The cost of recordkeeping required of pharmacies includes a time component for the pharmacist to document each partial fill of a Schedule II controlled substance prescription, times the average salary of a pharmacist, times the estimated number of Schedule II controlled substance prescriptions partially filled.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.066 Dispensing by Individual Practitioners

PURPOSE: This rule sets requirements for individual practitioners who dispense controlled substances.

(1) An individual practitioner who dispenses controlled substances shall—

(A) Provide direct supervision to employees or agents who assist in the administering or dispensing of controlled substances. Controlled substances shall not be dispensed from an individual practitioner's inventory unless a practitioner is physically in the registered location except pursuant to the provisions of section (2) of this rule;

(B) Package all controlled substances dispensed from an individual practitioner's inventory in compliance with the Poison Prevention Packaging Act of 1970, 15 U.S.C. 1471–1476;

(C) Permanently affix a label to the exterior of the drug container which includes: the date, the name and address of the dispensing practitioner, the name of the patient, directions for use, and the exact name and strength of the drug dispensed for all controlled substances dispensed;

(D) Dispense only to individuals with whom the practitioner has established and documented a practitioner/patient relationship. An individual practitioner shall not dispense under the order of another practitioner not practicing at that location.

(2) Controlled substances may be administered or dispensed from an individual practitioner's inventory by an authorized employee or agent when the practitioner is not present at the registered location when—

(A) The administration or dispensing is authorized by the individual practitioner under a written agreement pursuant to an arrangement established and implemented in accordance with Missouri statutes;

(B) The person who administers or dispenses the controlled substance is authorized by statute to administer or dispense controlled substances;

(C) The person who administers or dispenses the controlled substance is registered with the Department of Health to administer or dispense controlled substances;

(D) The person who administers or dispenses the controlled substance does so in compliance with all provisions of Chapter 195, RSMo and subsections (1)(B), (C) and (D) of this rule.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $23,952 per year with an inflation factor of 3%. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $1,760,699 per year with an inflation factor of 3%. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.066

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.066 Dispensing by Individual Practitioners

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Health professionals employed by the state who dispense controlled substances	$23,104 per year with 3% inflation factor
Mo. Dept. of Health	$848 per year with 3% inflation factor
TOTAL	**$23,952 per year with 3% inflation factor**

III. WORKSHEET

1. 239 practitioners times 10 % = 24 dispensing practitioners.
(24 practitioners)(2 Rx/day)(240 work days/year) = 11,520 Rx per year dispensed

2. (11,520 Rx dispensed)($.15/vial + $.05/label)= $2,304 costs per year for packaging and labeling.

3. (11,520 Rx dispensed)([1 min. supervision by physician][$76.00/hr] + [1 min. prep by staff][$10.97/hr]) = $16,588

4. (11,520 Rx dispensed)(2 min. documentation by staff)($10.97/hr) = $4,212

Fiscal Year	Packaging/Labeling	Supervising	Documenting	Total Cost
1998	$2,304	$16,588	$4,212	$23,104

IV. ASSUMPTIONS

1. It is estimated that approximately 10 % of state practitioners (physicians, dentists, etc.) dispense controlled substances on a regular basis. It is estimated that a dispensing practitioner dispenses two controlled substance prescriptions per day.

2. Packaging and labeling costs include the cost of prescription vials and labels times the number of prescriptions dispensed. These costs have been calculated on a 5% inflation factor. **See Table**

3. The cost of the practitioner supervising the dispensing process by the authorized individual is based on a (time component for dispensing time) X (the average salary of the practitioner plus the authorized dispenser). **See Table**

4. The cost of documenting a practitioner/patient relationship is based on a (time component to record this in the patient's medical record) X (the average salary [$ 10.97] of the person making the documentation). **See Table**

5. It is estimated that Bureau of Narcotics and Dangerous Drugs investigators spend approximately 50 hours annually reviewing registrants for compliance with this rule. Bureau of Narcotics and Dangerous Drugs investigator's salaries are $16.96/hr. This would constitute a cost of **$848** per year.

6. All salaries are expected to increase by 3% per yer.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30 – 1.066

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30 – 1.066 Dispensing by Individual Practitioners

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$1,760,699 per year with 3% inflation

III. WORKSHEET

1. 18,813 practitioners times 10 % = 1,881dispensing practitioners.
(1,881 practitioners)(2 Rx/day)(240 work days/year) = 902,880 Rx per year dispensed

2. (902,880 Rx dispensed)($.15/vial + $.05/label)= $180,576 costs per year for packaging and labeling.

3. (902,880 Rx dispensed)([1 min. supervision by physician][$76.00/hr] + [1 min. prep by staff][$10.97/hr]) = $1,300,147

4. (902,880 Rx dispensed)(2 min. documentation by staff)($10.97/hr) = $330,152

Fiscal Year	Packaging/Labeling	Supervising	Documenting	Total Cost
1998	$130,400	$1,300,147	$330,152	$1,760,699

IV. ASSUMPTIONS

1. It is estimated that approximately 10 % of practitioners (physicians, dentists, etc.) dispense controlled substances on a regular basis. It is estimated that a dispensing practitioner dispenses two controlled substance prescriptions per day.

2. Packaging and labeling costs include the cost of prescription vials and labels times the number of prescriptions dispensed. **See Table**

3. The cost of the practitioner supervising the dispensing process by the authorized individual is based on a (time component for dispensing time) X (the average salary of the practitioner plus the authorized dispenser). **See Table**

4. The cost of documenting a practitioner/patient relationship is based on a (time component to record this in the patient's medical record) X (the average salary [$ 10.97] of the person making the documentation). **See Table**

5. All salaries are expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.068 Administering In Emergency Rooms

PURPOSE: This rule sets requirements for administering controlled substances in hospital emergency rooms.

(1) Controlled substances may be administered to a hospital emergency room patient under a verbal order of a registered practitioner who is not physically present if—

(A) The order is for a legitimate medical purpose and the practitioner who orders the administration of a controlled substance is acting in the usual course of his/her medical practice, after sufficient examination and establishment of a practitioner/patient relationship;

(B) The practitioner who orders the administration of a controlled substance is a medical staff member of the hospital;

(C) The administration of a controlled substance is documented in a formal medical record for the patient;

(D) The patient is assessed in the hospital by a practitioner, when available, or a registered nurse. If the patient is not assessed by a practitioner in the hospital, a registered nurse shall assess the patient and confirm and document in the patient's medical record the existence of a preestablished practitioner/patient relationship with the practitioner who ordered administration of a controlled substance;

(E) The order is written in the patient's medical record and is authenticated by the ordering practitioner within a time frame and manner as defined by the medical staff in cooperation with nursing and administration. This policy shall be included in the hospital's written policies and procedures.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $6,640 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $33,805 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.068

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.068 Administering in Emergency Rooms

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
State hospitals	$6,640 per year with 3% inflation

III. WORKSHEET
#1-A
(33 hospitals) (12 administrations/yr) (10.25 min./60 min per hour) ($76.00/hr) = $ 5,141/yr

#1-B
(33 hospitals) (12 administrations /yr) (11.5 min./60 min per hour) ($19.75/hr) = $1,499/yr

	$ 5,141
	+ 1,499
total	**$ 6,640**

IV. ASSUMPTIONS
1. The cost of administering a controlled substance in a hospital emergency room under a verbal order by a physician who is not on site includes the following components:

A. Conducting the patient examination and signing the order in the medical record are based on (estimated time components) X (average salary [$76.00]of a physician).

B. Assessment by a registered nurse, confirming and documenting the practitioner/patient relationship and documenting the order in the medical record are based on (estimated time components) X (the average salary [$ 19.75] of a nurse).

C. All salaries are expected to increase by 3% per year.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.068

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.068 Administering in Emergency Rooms

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
hospitals - 168		$33,805 per year with 3% inflation

III. WORKSHEET
#1-A
(168 hospitals)(12 administrations/yr) (10.25 min./60 min per hour) ($76.00/hr) = $26,174/yr

#1-B
(168 hospitals) (12 administrations /yr) (11.5 min./60 min per hour) ($19.75/hr) = $ 7,631/yr

	$ 26,174
	+ 7,631
totals	**$ 33,805**

IV. ASSUMPTIONS
1. The cost of administering a controlled substance in a hospital emergency room under a verbal order by a physician who is not on site includes the following components:

A. Conducting the patient examination and signing the order in the medical record are based on (estimated time components) X (average salary [$76.00] of a physician).

B. Assessment by a registered nurse, confirming and documenting the practitioner/patient relationship and documenting the order in the medical record are based on (estimated time components) X (the average salary [$ 19.75] of a nurse).

C. All salaries are expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.070 Emergency Dispensing of Schedule II Substances

PURPOSE: This rule provides for the prescribing and dispensing of Schedule II drugs in an emergency situation.

(1) In the case of a bona fide emergency situation, as defined by the Department of Health, a pharmacist may dispense a Schedule II controlled substance upon receiving oral authorization of a prescribing practitioner; provided, that—

(A) The quantity prescribed and dispensed is limited to the amount adequate to treat the patient during the emergency period. Prescribing or dispensing beyond the emergency period must be pursuant to a written prescription;

(B) The prescription immediately shall be reduced to writing by the pharmacist and shall contain all information, except for the prescribing practitioner's signature;

(C) If the prescribing practitioner is not known to the pharmacist, s/he must make reasonable effort to determine that the oral authorization came from a practitioner, by verifying his/her phone number against that listed in the directory and other good faith efforts to insure his/her identity;

(D) Within seven days after authorizing an emergency oral prescription, the prescribing practitioner must cause a written prescription for the emergency quantity prescribed to be delivered to the dispensing pharmacist. The prescription shall have written on its face authorization for emergency dispensing. The written prescription may be delivered to the pharmacist in person or by mail, but if delivered by mail it must be postmarked within the seven-day period. Upon receipt, the dispensing pharmacist shall attach this prescription to the oral emergency prescription which had earlier been reduced to writing. The pharmacist shall notify the Department of Health if the prescribing practitioner fails to deliver a written prescription to him/her; failure of the pharmacist to do so shall void the authority conferred by this section to dispense without a written prescription of a prescribing practitioner.

(2) Definition of Emergency Situation. For the purpose of authorizing an oral prescription of a controlled substance listed in Schedule II of the controlled substances law (sections 195.010–195.320, RSMo), the term emergency situation means those situations in which the prescribing practitioner determines that—

(A) Immediate administration of a controlled substance is necessary for proper treatment of the intended ultimate user;

(B) No appropriate alternative treatment is available, including administration of a drug which is not a controlled substance under Schedule II;

(C) It is not reasonably possible for the prescribing practitioner to provide a written prescription to be presented to the person dispensing the substance prior to the dispensing.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $107 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $13,220 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.070

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.070 Emergency Dispensing of Schedule II Substances

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health, state pharmacies and Health professionals employed by the state who call in emergency CII prescriptions	$ 107 per year with 3% inflation factor

III. WORKSHEET

Column I (9)(4/yr)(1/2 min./60)($29.63/hr) = $8.88
Column II (9)(4/yr)(4 min./60)($8.23) = $19.75
Column III (36 emergency Rx/yr.)(1/2 min./60)($76.00/hr)+(36)($.32) = $34.32
Column V (9)(1/yr)(10 min./60)($29.63/hr) = $44.44

Emergency Prescriptions for Schedule II Drugs

I	II	III	IV	Total
Reduce	**Verify & Attach**	**Original Rx**	**Notify**	
$8.88	$19.75	$34.32	$44.44	$107.39

IV. ASSUMPTIONS

1. The cost of reducing an emergency Schedule II prescription to writing (1/2 min.) and notifying the Department of Health of the failure of a prescriber to deliver an original prescription (10 min.) are based on time components for those activities times a pharmacist's salary ($ 29.63) times the estimated number of occurrences (4 per year per pharmacy) called in and (1 per year per pharmacy) not delivered.
See columns I and IV

2. The costs of verifying the prescription and attaching the delivered original prescription to the transcribed prescription (4 min.) are based on time components for those activities times an pharmacy technician's salary ($8.23/hour) times the estimated number of occurrences (4 per pharmacy per year)
See column II

3. The cost of providing an original prescription to the pharmacy (1/2 min.) includes a time component times the average salary of the prescriber ($76.00) times the estimated number of occurrences (4 per year per pharmacy) plus postage. **See column III**

4. Salaries are expected to increase by 3% per year.

FISCAL NOTE
PRIVATE ENTITY COST

I. CSR 30-1.070

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: CSR 30-1.070 Emergency Dispensing of Schedule II Substances

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM.	$4,224per year with 3% inflation
Pharmacies - 1108		$8,996 per year with 3% inflation
TOTAL	TOTAL	$13,220 per year with 3% inflation

III. WORKSHEET

Column I (1108)(4/yr)(1/2 min./60)($29.63/hr) = $1,094
Column II (1108)(4/yr)(4 min./60)($8.23) = $2,431
Column III (4432 emergency Rx/yr)(1/2 min./60)($76.00/hr)+(4432)($.32) = $4,224
Column V (1108)(1/yr)(10 min./60)($29.63/hr) = $5,471

Emergency Prescriptions for Schedule II Drugs

I	II	III	IV	Total
Reduce	**Verify & Attach**	**Original Rx**	**Notify**	
$1,094	$2,431	$4,224	$5,471	$13,220

IV. ASSUMPTIONS

1. The cost of reducing an emergency Schedule II prescription to writing (1/2 min.) and notifying the Department of Health of the failure of a prescriber to deliver an original prescription (10 min.) are based on time components for those activities times a pharmacist's salary ($ 29.63) times the estimated number of occurrences (4 per year per pharmacy) called in and (1 per year per pharmacy) not delivered.

See columns I and IV

2. The costs of verifying the prescription and attaching the delivered original prescription to the transcribed prescription (4 min.) are based on time components for those activities times an pharmacy technician's salary ($8.23/hour) times the estimated number of occurrences (4 per pharmacy per year) **See column II**

3. The cost of providing an original prescription to the pharmacy (1/2 min.) includes a time component times the average salary of the prescriber ($76.00) times the estimated number of occurrences (4 per year per pharmacy) plus postage. **See column III**

4. Salaries are expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.072 Dispensing of Schedule V Substances

PURPOSE: This rule provides for the prescribing, administering and dispensing of Schedule V drugs.

(1) A pharmacist directly may dispense a controlled substance listed in Schedule V pursuant to a prescription. A prescription for a controlled substance listed in Schedule V may be refilled only as expressly authorized by the prescribing individual practitioner on the prescription. If this authorization is not given, the prescription may not be refilled. A pharmacist dispensing those substances pursuant to a prescription shall label the substance and file the prescription.

(2) An individual practitioner may administer or dispense directly a controlled substance listed in Schedule V in the course of his/her professional practice without a prescription.

(3) An institutional practitioner may administer or dispense directly (but not prescribe) a controlled substance listed in Schedule V only pursuant to a written prescription signed by the prescribing individual practitioner or pursuant to an oral prescription made by a prescribing individual practitioner and promptly reduced to writing by the pharmacist (containing all information required except for the signature of the prescribing individual practitioner) or pursuant to an order for medication made by an individual practitioner which is dispensed for immediate administration to the ultimate user.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.074 Dispensing Without a Prescription

PURPOSE: This rule provides for dispensing Schedule V controlled substances without a prescription in certain situations.

(1) A controlled substance listed in Schedule V which is not a prescription drug and determined under the federal Food, Drug and Cosmetic Act may be dispensed by a pharmacist without a prescription to a purchaser at retail; provided, that—

(A) Dispensing is made only by a pharmacist and not by a nonpharmacist employee even if under the supervision of a pharmacist (although after the pharmacist has fulfilled his/her professional and legal responsibilities, the actual cash transaction, credit transaction or delivery may be completed by a nonpharmacist);

(B) Not more than two hundred forty cubic centimeters (240 cc) eight ounces (8 oz.) of any controlled substance containing opium, nor more than one hundred twenty cubic centimeters (120 cc) four ounces (4 oz.) of any other controlled substance nor more than 48 dosage units of any controlled substance containing opium, nor more than 24 dosage units of any other controlled substance may be dispensed at retail to the same purchaser in any given 48-hour period;

(C) The purchaser is at least 18 years of age;

(D) The pharmacist requires every purchaser of a Schedule V controlled substance not known to him/her to furnish suitable identification (including proof of age where appropriate);

(E) A bound record book for dispensing of Schedule V controlled substances is maintained by the pharmacist. The book shall contain the name and address of the purchaser, the name and quantity of controlled substance purchased, the date of each purchase and the name or initials of the pharmacist who dispensed the substance to the purchaser (the book shall be maintained in accordance with record keeping requirements);

(F) A prescription is not required for distribution or dispensing of the substance pursuant to any other federal, state or local law.

AUTHORITY: sections 195.050 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.076 Emergency Distribution by a Pharmacy

PURPOSE: This rule provides for dispensing of controlled substances by a pharmacy in emergency situations.

(1) An emergency means a situation where a quantity of a controlled substance must be dispensed by a pharmacy to a patient who does not have an alternative source for that substance reasonably available to him/her and the pharmacy cannot obtain that substance through its normal distribution channels within the time required to meet the immediate needs of the patient for that substance. In the event of an emergency, a pharmacy may distribute (without being registered as a distributor) a controlled substance in Schedule III, IV or V to a second pharmacy in order for that pharmacy to dispense the substance; provided, that—

(A) The amount distributed does not exceed the amount required by the second pharmacy for his/her immediate dispensing;

(B) The distribution is recorded as being dispensed by the first pharmacy and the second pharmacy records the substance as being received. Each pharmacy will retain a signed receipt of the distribution;

(C) The second pharmacy is registered to dispense the controlled substance to be distributed to him/her;

(D) If the substance is a Schedule II controlled substance, the official order form designated by the federal Drug Enforcement Administration must be used to document the transfer.

AUTHORITY: section 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $1.54 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $190 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.076

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.076 Emergency distribution by a Pharmacy

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
State pharmacies	$1.54 per year with 3% inflation

III. WORKSHEET
(9)(1/4)(5 min./60min)($8.23/hr) = $1.54/yr

IV. ASSUMPTIONS
1. The cost of recordkeeping for emergency distribution of controlled substances by a pharmacy includes a time component (5 min.) times an average technician salary ($8.23/hour) times the estimated number of occurrences (1 per year per / 4 pharmacies). There are 9 state pharmacies. Costs of salaries are expected to increase by 3% per year.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.076

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.076 Emergency Distribution by a Pharmacy

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Pharmacies - 1108		$190 per year with 3% inflation

III. WORKSHEET
(1108)(1/4)(5 min./60min)($8.23/hr) = $190/yr

IV. ASSUMPTIONS
1. The cost of recordkeeping for emergency distribution of controlled substances by a pharmacy includes a time component (5 min.) times an average technician salary ($8.23/hour) times the estimated number of occurrences (1 per year / per 4 pharmacies). The estimated costs would be $190/year. Costs of salaries are expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 1—Controlled Substances

PROPOSED RULE

19 CSR 30-1.078 Disposing of Unwanted Controlled Substances

PURPOSE: This rule establishes procedures for disposing of unwanted controlled substances.

(1) A registrant in possession of any controlled substance(s) and desiring or required to dispose of such substance(s) shall:

(A) Return the controlled substances to the original supplier;

(B) Transfer the controlled substances to a distributor authorized to accept controlled substances for the purpose of disposal;

(C) Submit a DEA Form 41 to the federal Drug Enforcement Administration requesting authorization to dispose of the controlled substances in compliance with federal regulations;

(D) Contact the Bureau of Narcotics and Dangerous Drugs (BNDD), Department of Health for information pertaining to subsections (1)(A), (B) or (C).

(2) The return, transfer or disposal of any controlled substance shall be documented in accordance with 19 CSR 30-1.044.

(3) In the event the registrant is a hospital, the following procedures are to be used for the destruction of controlled substances:

(A) When disposal of controlled substances is in patient care areas—

1. Controlled substances which are contaminated by patient body fluids are to be destroyed by a physician, nurse or a pharmacist in the presence of another hospital employee;

2. An excess volume of a controlled substance which must be discarded from a dosage unit just prior to use shall be destroyed by a nurse, pharmacist or physician in the presence of another hospital employee;

3. The remaining contents of opened glass ampules of controlled substances shall be destroyed by a nurse, pharmacist or physician in the presence of another hospital employee;

4. Single units of single dose packages of controlled substances which are contaminated other than by patient body fluids and are not an infectious hazard, or have been removed from their original or security packaging, or are partially used, or are otherwise rendered unsuitable for patient use shall be destroyed by a nurse, pharmacist or physician in the presence of another hospital employee or returned to the pharmacy for destruction;

5. The following shall be entered in the controlled substance administration record or a separate controlled substance destruction record when the controlled substance is destroyed in the patient care area: the date and hour of destruction, the drug name and strength, the amount destroyed, the reason for destruction and the patient's name and room number. The nurse, pharmacist or physician and the witnessing hospital employee shall sign the entry. The drug shall be destroyed so that it is beyond reclamation. The controlled substance administration or destruction records are to be retained for two years and available for inspection by Department of Health investigators;

6. All other controlled substances which are not patient contaminated but which are to be disposed of shall be returned to the pharmacy for disposal;

(B) When disposal of controlled substances is in the pharmacy—

1. Single units of controlled substances which are contaminated other than by patient body fluids and are not an infectious hazard, or have been removed from their original or security packaging, or are partially used, or are otherwise rendered unsuitable for patient use shall be destroyed by a pharmacist in the presence of another hospital employee or held for later destruction;

2. All other controlled substances which are not patient contaminated but are to be disposed of shall be placed in a suitable container for storage and disposed of as described in section (1) of this rule.

(4) If the registrant administers controlled substances and is not a hospital, the following procedures are to be used for the destruction of controlled substances:

(A) Controlled substances which are contaminated by patient body fluids are to be destroyed, in the presence of another employee, by the registrant or designee authorized to administer;

(B) An excess volume of a controlled substance which must be discarded from a dosage unit just prior to use is to be destroyed, in the presence of another employee, by the registrant or designee authorized to administer;

(C) The remaining contents of opened glass ampules of controlled substances which are not patient contaminated are to be destroyed, in the presence of another employee, by the registrant or designee authorized to administer;

(D) When the controlled substance is destroyed by the registrant or designee authorized to administer, the following shall be entered in the controlled substances administration records or a separate controlled substances destruction record: the date and amount destroyed, the reason for destruction and the registrant's name and address. The registrant or designee doing the destruction and the witnessing employee shall sign the entry. The drug shall be destroyed so that it is beyond reclamation. The controlled substances administration or destruction records are to be retained for two years and available for inspection by Department of Health investigators;

(E) All other controlled substances which are not patient-contaminated but are to be disposed of shall be placed in a suitable container for storage and disposed of as described in section (1) of this rule.

AUTHORITY: sections 195.050 and 195.195, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $63,787 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $326,537 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I.

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.078 Disposing of Unwanted Controlled Substances

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
State Medical Facilities	$413 per year with 3% inflation factor
State Employed Health Professionals	$47 per year with 3% inflation factor
Documentation by State Hospitals	$63,327 per year with 3% inflation factor
TOTAL COSTS	**$63,787 per year with 3% inflation factor**

III. WORKSHEET

1.

Registrants	# Who Stock Controlled Substances	# of Returns per year	Time spent Documenting & Packaging for Shipment	Salary of Person Preparing for Shipment		Fees Charged per year	Total Costs
Retail Pharmacies	9	1/5	1/2 hour	$8.23	plus	$5	$12
Hospitals	33	1	1/2 hour	$8.23	plus	$25	$160
Ambulance Services	121	1/5	1/2 hour	$13.17	plus	$5	$164
Dentists*	7	1/5	1/2 hour	$8.23	plus	$5	$10
D.O.'s*	1	1/5	1/2 hour	$8.23	plus	$5	$6
Veterinarians*	2	1/5	1/2 hour	$8.23	plus	$5	$7
M.D.'s*	23	1/5	1/2 hour	$8.23	plus	$5	$24
Narcotic Treatment Programs	1	1/5	1/2 hour	$8.23	plus	$5	$6
Teaching Institutions	9	1/5	1/2 hour	$8.23	plus	$5	$12
Researchers	42	1/5	1/2 hour	$8.23	plus	$5	$39
Analytical Labs	18	1/5	1/2 hour	$8.23	plus	$5	$20
Totals	**266**						**$460**

2.

(0.07 waste occurrences per bed/day) (5,315 private hospital beds) (365 days/year) (combined salaries - $27.98) (1 min. to document/60 min/hr)= $ 63,327

Cost of return of disposed controlled substances	$ 460
Cost of documentation of wastage in hospitals	+ 63,327
Total	**$ 63,787**

IV. ASSUMPTIONS

1. The fees charged by a reverse distributor determine the cost of controlled substance disposal by registrants who are licensed to accept and dispose of such substances. A registrant may not dispose of controlled substances themselves, except under certain circumstances. The estimated average charge for a registrant to ship unwanted controlled substances to a licensed reverse distributor is $25 per shipment. Those registrants who stock controlled substances only do this. It is estimated that a controlled substance registrant will need to dispose of unwanted controlled substances once every 5 years (hospitals will need to do so once each year). Therefore the costs resulting from this rule would include the time required to document/package items or substances to be shipped to a reverse distributor (1/2 hour) times average salary of person (technician or office staff) documenting/packaging substances for shipment ($8.23/hour) times number of registrants stocking controlled substances. **See Table**

2. The costs of on-site controlled substance waste disposal by hospitals include a time component and salary cost for the professional staff member and witness involved. An average nurse salary ($19.75) and clerical witness salary ($8.23) are used (0.07 waste occurrences per bed per day) times 1 minute to document such a wastage.

3. Costs of salaries are expected to increase by 3% per year.

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.078

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 1—Controlled Substances

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-1.078 Disposing of Unwanted Controlled Substances

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Health professionals – 18,813	MD, DO, DVM, DDS, OD, DPM, RN.	$2,136 per year with 3% inflation
Facilities- 2,037	Hospitals, pharmacies, emergency medical services, nursing home kits, narcotic treatment programs, researchers, analytical labs	$1,929 per year with 3% inflation factor
Industrial- 48	Manufacturers, distributors, importers, exporters	$58 per year with 3% inflation
Hospital Documentation	Records & Documenting	$322,414 per year with 3% inflation
TOTAL COSTS	**TOTAL COSTS**	**$326,537 per year with 3% inflation**

See page 2

III. WORKSHEET

1.

Registrants	# Who Stock Controlled Substances	# of Returns per year	Time spent Documenting & Packaging for Shipment	Salary of Person Preparing for Shipment		Fees Charged for Returns per year	Total Costs
Retail Pharmacies	1108	1/5	1/2 hour	$8.23	plus	$5	$916
Hospitals	168	1	1/2 hour	$8.23	plus	$25	$716
Ambulance Services	96	1/5	1/2 hour	$13.17	plus	$5	$131
Dentists	248	1/5	1/2 hour	$8.23	plus	$5	$229
D.O.'s	162	1/5	1/2 hour	$8.23	plus	$5	$138
Podiatrists	20	1/5	1/2 hour	$8.23	plus	$5	$21
Veterinarians	964	1/5	1/2 hour	$8.23	plus	$5	$798
M.D.'s	1149	1/5	1/2 hour	$8.23	plus	$5	$950
Narcotic Treatment Programs	8	1/5	1/2 hour	$8.23	plus	$5	$11
Teaching Institutions	17	1/5	1/2 hour	$8.23	plus	$5	$19
Manufacturers	14	1/5	1/2 hour	$8.23	plus	$5	$16
Distributors	28	1/5	1/2 hour	$8.23	plus	$5	$28
Researchers	104	1/5	1/2 hour	$8.23	plus	$5	$90
Analytical Labs	50	1/5	1/2 hour	$8.23	plus	$5	$46
Importers	2	1/5	1/2 hour	$8.23	plus	$5	$6
Exporters	4	1/5	1/2 hour	$8.23	plus	$5	$8
Totals	**4142**						**$4,123**

2.

(0.07 waste occurrences per bed/day) (27,060 private hospital beds) (365 days/year) (combined salaries - $27.98) (1 min. to document/60 min/hr)= $ 322,414

Cost of return of disposed controlled substances	$ 4,123
Cost of documentation of wastage in hospitals	+ 322,414
Total	**$ 326,537**

IV. ASSUMPTIONS

1. The fees charged by a reverse distributor determine the cost of controlled substance disposal by registrants who are licensed to accept and dispose of such substances. A registrant may not dispose of controlled substances themselves, except under certain circumstances. The estimated average charge for a registrant to ship unwanted controlled substances to a licensed reverse distributor is $25 per shipment. This is only done by those registrants who stock controlled substances. It is estimated that a controlled substance registrant will need to dispose of unwanted controlled substances once every 5 years (hospitals will need to do so once each year). Therefore the costs resulting from this rule would include the time required to document/package items or substances to be shipped to a reverse distributor (1/2 hour) times average salary of person (technician or office staff) documenting/packaging substances for shipment ($8.23/hour) times number of registrants stocking controlled substances. **See Table**

2. The costs of on-site controlled substance waste disposal by hospitals include a time component and salary cost for the professional staff member and witness involved. An average nurse salary ($19.75) and clerical witness salary ($8.23) are used (0.07 waste occurrences per bed per day) times 1 minute to document such a wastage.

3. Costs of salaries are expected to increase by 3% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 2—Regulated Chemicals

PROPOSED RULE

19 CSR 30-2.010 Definitions

PURPOSE: As used in this chapter, the following words and terms have the meanings specified. All other words and terms shall have the meanings specified in Chapter 195, RSMo.

(1) Commercial container—Any bottle, jar, tube, ampul or other receptacle in which a substance is held for distribution or dispensing and, in addition, any box or package in which the receptacle is held for distribution or dispensing. The term commercial container does not include any package liner, package insert of other material kept with or within a commercial container, nor any carton, crate or other package in which commercial containers are stored or are used for shipment of regulated chemicals.

(2) Department—The Missouri Department of Health.

(3) Distribute—To sell, transfer or otherwise furnish a regulated chemical.

(4) Distributor—A person who distributes a regulated chemical.

(5) Essential chemical—Any chemical listed in section 195.400, RSMo which is not an immediate precursor chemical and is used in the manufacture of a controlled substance.

(6) Immediate precursor chemical—Any chemical listed in section 195.400, RSMo which is a structural component of a controlled substance and is used in the manufacture of the controlled substance.

(7) Manufacture—The production, preparation, propagation, compounding or processing of any chemical listed in section 195.400, RSMo, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the chemical or labeling or relabeling of its container.

(8) Manufacturer—Any person who manufactures a regulated chemical.

(9) Name—The official name, common or usual name, chemical name or brand name of a substance.

(10) Otherwise furnish—To initiate a transaction resulting or intending to result in the distribution of a regulated chemical to any person, regardless of whether the person initiating the transaction is the owner or possessor of the item or merely a broker.

(11) Possession—The actual or constructive possession of a regulated chemical.

(12) Regulated chemical—Any chemical listed in section 195.400, RSMo.

(13) Reporting form—A form designated by the department to document each distribution, receipt, suspicious request, suspicious transaction or loss of a regulated chemical, or a report format which is computer-generated and which contains the same information in the same format.

(14) Registration—A Missouri Regulated Chemical Registration.

(15) Re-registration—A registration issued to a person who was previously registered and whose application for re-registration was received by the Department of Health prior to the expiration of the previous registration.

(16) Transfer—The sale and every other method, direct or indirect, of disposing of or parting with property or with an interest therein, or with the possession thereof.

AUTHORITY: sections 195.195 and 195.405, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 2—Regulated Chemicals

PROPOSED RULE

19 CSR 30-2.020 Lists of Regulated Chemicals

PURPOSE: Section 195.400, RSMo 1994 states that the Department of Health by rule or regulation may add substances to or delete substances from subsection 2 of section 195.400, RSMo in the manner prescribed under 195.400.4, RSMo if such substance is a component of or may be used to produce a controlled substance.

(1) Immediate precursor chemicals—
(A) 1,4-Butanediol;
(B) 3,4-Methylenedioxyphenyl-2-propanone;
(C) Acetic anhydride;
(D) Anthranilic acid, its esters and its salts;
(E) Benzaldehyde;
(F) Benzyl chloride;
(G) Benzyl cyanide;
(H) Ephedrine, its salts, optical isomers, and salts of optical isomers;
(I) Ergonovine and its salts;
(J) Ergotamine and its salts;
(K) Ethylamine and its salts;
(L) Gamma butyrolactone;
(M) Isosafrole;
(N) Methylamine and its salts;
(O) N-Acetylanthranilic acid, its esters and its salts;
(P) N-Methylephedrine, its salts, optical isomers and salts of optical isomers;
(Q) N-Methylpseudoephedrine, its salts, optical isomers, and salts of optical isomers;
(R) Nitroethane;

(S) Norpseudoephedrine, its salts, optical isomers, and salts of optical isomers;
(T) Phenylacetic acid, its esters and its salts;
(U) Phenylpropanolamine, its salts, optical isomers, and salts of optical isomers;
(V) Piperidine and its salts;
(W) Piperonal;
(X) Propionic anhydride;
(Y) Pseudoephedrine, its salts, optical isomers, and salts of optical isomers;
(Z) Safrole.

(2) Essential chemicals—
(A) 2-Butatone, (or methyl ethyl ketone, or MEK);
(B) Acetone;
(C) Ethyl ether;
(D) Hydriodic acid;
(E) Iodine;
(F) Methyl isobutyl ketone, (or MIBK);
(G) Potassium permanganate;
(H) Red phosphorous;
(I) Sulfuric acid;
(J) Toluene.

AUTHORITY: sections 195.015, 195.195 and 195.405, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $714 per year with an inflation factor of 3% calculated. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE

PUBLIC ENTITY COSTS

I. 19 CSR 30 – 2.020

Title: 19 –Department of Health

Division: 30 –Health Standards and Licensure

Chapter: 1 –Regulated Chemicals

Type of Rule Making: Proposed New Rule

Rule Number and Name: 19 CSR 30-2.020 Lists of Regulated Chemicals

II. SUMMARY OF FISCAL IMPACT

Affected Agencies or Political Subdivisions	Estimated Cost of Compliance in the Aggregate
The Missouri Department of Health, Division of Health Standards and Licensure's Bureau of Narcotics and Dangerous Drugs.	$714 dollars per year, with 3% inflation increase for salary and 5% for expenses.

IV. WORKSHEET

Bureau Administrator	$31.50 per hour	x 20 hours	$630 annually
Clerical support	$8.40 per hour	x 10 hours	$84 annually
			Total $714 annually

V. ASSUMPTIONS

1. The annual cost for reviewing and updating the schedules of controlled substances includes approximately 20 hours of Bureau of Narcotics and Dangerous Drugs program administrator time and 10 hours of clerical time. Salaries are projected to increase by a 3% inflation factor.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 2—Regulated Chemicals

PROPOSED RULE

19 CSR 30-2.030 Registration Fees

PURPOSE: This rule establishes fees for various types of registration, a lapsed registration fee, manner of payment, and exemption from registration fee.

(1) The following fees shall be paid for each registration or re-registration to—

(A) Manufacture and/or distribute regulated chemicals, $25.

(B) Receive regulated chemicals from a source outside of Missouri, $15.

(2) Persons Exempt From Fee—The Department of Health shall exempt the following persons from payment of a fee for registration or re-registration:

1. Any official or agency of the United States Army, Navy, Marine Corps, Air Force, Coast Guard, Veterans Administration or Public Health Service who is authorized to manufacture and/or distribute regulated chemicals, or receive regulated chemicals from a source outside the state of Missouri, for official use.

2. Any official employee or other civil officer or agency of the United States or state or any political subdivision or agency who is authorized to manufacture and/or distribute regulated chemicals, or receive regulated chemicals from a source outside the state of Missouri, in the course of his/her official duties or employment.

3. Any person who is currently registered with the Department of Health to manufacture, distribute or dispense controlled substances.

4. In order to claim exemption from payment of a registration or re-registration fee, the registrant shall apply for exemption by completing appropriate sections of the application;

5. Exemption from payment of a registration or re-registration fee does not relieve the registrant of any other requirements or duties prescribed by law.

(3) Lapsed Registration Fee. An additional fee of $10 must be submitted with the re-registration application if the application is submitted more than 15 days after a previous registration has expired.

(4) Time and Method of Payment. Registration and re-registration fees shall be paid at the time when the application for registration or re-registration is submitted. Payment shall be made in the form of a personal, certified or cashier's check or money order made payable to Department of Health. This is a nonrefundable processing fee. Payments made in the form of stamps, foreign currency or third-party endorsed checks will not be accepted. If an application is received without the appropriate fee, the application will be held in abeyance for a period of 60 days after which the application may be denied. The Department of Health shall notify the applicant of any proposed action.

AUTHORITY: sections 195.195 and 195.405, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies and political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities $55,800 per year. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE

PRIVATE ENTITY COSTS

I. 19 CSR 30- 2.030

Title: 19 –Department of Health

Division: 30 –Health Standards and Licensure

Chapter: 2 –Regulated Chemicals

Type of Rule Making: Proposed New Rule

Rule Number and Name: 19 CSR 30-2.030 Registration Fees

II. SUMMARY OF FISCAL IMPACT

Estimated number of entities by class which would likely be affected by the adoption of the proposed rule.	Cost of annual fee	Estimate in the aggregate as to the cost of the compliance with the rule by the affected entities
1,000 chemical manufacturers, wholesalers, distributors, retailers or other persons who distribute any listed chemical listed in subsection 2 of Section 195.400 to any other person in this state.	Annual fee is $25	$25,000 per year, with a 1% increase of additional registrants each year.
2,000 industrial manufacturers and retailers who receive a listed chemical in subsection 2 of Section 195.400, from a source outside the state of Missouri	Annual fee is $15	$30,000 per year, with a 1% increase of additional registrants each year.
It is estimated that 80 registrants will not renew timely and incur a late fee.	Late fee is $10	$800 per year

The total estimated cost to all registrants is $55,800 and then a 1% annual increase in the number of both types of registrations.

III. WORKSHEET

1,000 full registrations per year, costing $25 each.....$25,000

2,000 partial registrations per year, costing $15 each.....$30,000

80 registrants per year paying a $10 lapsed registration fee.....$800

ANNUAL TOTAL	$55,800

IV. ASSUMPTIONS

1. This program will grow to 1,000 full registrations and 2,000 partial registrations.
2. Eighty registrants per year will pay a late fee.
3. The number of registrants will increase by 1% per year.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 2—Regulated Chemicals

PROPOSED RULE

19 CSR 30-2.040 Registration Process

PURPOSE: This rule establishes the period and expiration of registration, the process of applying for registration, and information required to complete an application for registration.

(1) Period of Registration.

(A) Any registration, except a re-registration, shall be current and effective from the date issued until the expiration date assigned at the time the registration is issued. A re-registration shall be current and effective for 12 months from the expiration date of the previous registration, provided that the application for re-registration was received prior to the expiration of the previous registration, unless the Department of Health notifies the applicant that the application is being held in abeyance. No person who is required to be registered shall conduct any activity for which a registration is required without a current registration.

(B) At the time any registration is first issued, the registration shall be assigned to one of 12 groups which shall correspond to the months of the year. The expiration date of all registrations within any group shall be the last day of the month designated for that group. The Department of Health may assign a registration to a group which has an expiration date more than 12 months from the date the registration was issued.

(C) A certificate of registration shall be provided to the registrant which shall include the name and address of the registrant, the expiration date of the registration and a registration number for the convenience of identifying a registration or a registrant. The same registration number may be used for a new registration for the same person.

(2) Application for Registration.

(A) Any person who is required to be registered and who is not so registered may apply for registration at any time. No person required to be registered shall engage in any activity for which registration is required until the application for registration is processed and the registration is granted.

(B) Applications for registration shall be on forms designated by the Department of Health and are incorporated into this rule by reference as follows: Form MO 580-2401. Application forms may be requested from the Missouri Department of Health, P.O. Box 570, Jefferson City MO 65102.

(C) The application form following this rule shall be used to apply for a registration. It must be submitted with all required information, an original signature of the applicant and the required fee to the Department of Health.

(D) An application which does not contain or is not accompanied by the required information or fee shall be held in abeyance for 60 days after which the application may be denied. The Department of Health shall notify the applicant of any proposed action.

(E) An application may be withdrawn by making a written request to the Department of Health.

(F) All applicants shall make full, true and complete answers on the application. The Department of Health may require an applicant to submit documents or written statements of fact relevant to the application as considered necessary to determine whether the application should be granted. The failure of the applicant to provide these documents or statements within a reasonable time after being requested to do so shall be considered to be a waiver by the applicant of an opportunity to present these documents or facts for consideration in granting or denying the application.

(G) A regulated chemical registration shall be issued at a U.S. Postal Service street address.

AUTHORITY: sections 195.195 and 195.405, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $5,531 per year. Staffing salaries are expected to increase by 3% per year and expenses are expected to increase by 5% per year. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE

PUBLIC ENTITY COSTS

I. 19 CSR 30 – 2.040

Title: 19 –Department of Health

Division: 30 –Health Standards and Licensure

Chapter: 2 –Regulated Chemicals

Type of Rule Making: Proposed New Rule

Rule Number and Name: 19 CSR 30 – 2.040 Registration Process

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
The Missouri Department of Health, Division of Health Standards and Licensure's Bureau of Narcotics and Dangerous Drugs, and any other entities who conduct activities to regulate listed chemicals as listed in subsection 2 of Section 195.400.	$5,531 per year with 3% inflation for salary and 5% for expenses.

III. WORKSHEET

Table 6	BNDD STAFF & SALARIES	#	1998
	Administrator	1	$58,716
	Pharmaceutical Consultant	1	$53,760
	Investigations Administrator	1	$42,312
	Investigator III	2	$67,980
	Investigator II	6	$173,808
	Clerk-Typist III	1	$22,164
	Clerk-Typist II	5	$65,460
	TOTAL		**$505,608**

TABLE 7 BNDD EQUIPMENT & EXPENSES BUDGET 1998

Travel and vehicle expense	$25,000
Office expenses	$4,900
Inst. & phys. plant expense	$150
Off. & computer equipment expense	$2,350
Data Processing expense & equip.	$8,400
Other expenses	$3,200
TOTAL	**$44,000**

Salary expenses.....$505,608
x 1 %

$5,056

Equipment Expense.....$44,000
- $25,000
$19,000

$19,000
x 2.5%
$475

1% of salary expense + 2.5 % of equipment expense = $5,531

IV. ASSUMPTIONS

1. It is estimated that approximately 1% of the Bureau of Narcotics and Dangerous Drugs staff time (salary) and 2.5% of the expense and equipment costs minus the travel expenses are expended on the requirements of this rule. **(See Tables 6 & 7)**

2. A 3% annual inflation factor is expected for departmental staff salaries per year. Expenses and costs of equipment are expected to increase by 5% per year.

MISSOURI DEPARTMENT OF HEALTH
BUREAU OF NARCOTICS & DANGEROUS DRUGS
APPLICATION FOR MISSOURI REGULATED CHEMICAL REGISTRATION

MISSOURI DEPARTMENT OF HEALTH
ATTN: FEE RECEIPT UNIT
P.O. BOX 570
JEFFERSON CITY, MO 65102-0750

MAIL SIGNED ORIGINAL COMPLETED COPY WITH FEE

PLEASE **PRINT** OR **TYPE** ALL ENTRIES. NO REGISTRATION MAY BE ISSUED UNLESS A **COMPLETED** APPLICATION FORM HAS BEEN RECEIVED **WITH THE PROPER FEE.** APPLICATIONS MUST BE AR THE **ORIGINAL SIGNATURE** OF THE APPLICANT AND SIGNATURE STAMPS ARE NOT ACCEPTABLE. THE REGISTRATION FEE IS A PROCESSING FEE AND IS NON-REFUNDABLE. AN INCOMPLETE APPLICATION WILL BE RETURNED WHICH MAY DELAY PROCESSING.

WARNING: PURSUANT TO SECTION 195.410 RSMo, ANY APPLICANT OR REGISTRANT WHO FURNISHES FALSE OR FRAUDULENT MATERIAL INFORMATION IN AN APPLICATION MAY BE DENIED, SUSPENDED OR REVOKED.

MAILING ADDRESS IF OTHER THAN REGISTERED SITE

_____
_____
_____
_____

ADDRESS OF REGISTERED SITE. P.O. BOX NOT ALLOWED.

_____
_____
_____
_____

TELEPHONE NUMBER: _____ FAX NUMBER:_____ COUNTY OF BUSINESS:_____

BUSINESS OWNERSHIP: ☐ SOLE PROPRIETOR ☐ PARTNERSHIP ☐ CORPORATION ☐ LLC ☐ OTHER

BUSINESS TYPE: ☐ RETAIL ☐ WHOLESALE ☐ MAIL ORDER ☐ RESEARCH ☐ CHEMICAL MANUFACTURER ☐ GOVERNMENT AGENCY

☐ OTHER EXPLAIN:_____

CURRENT BNDD CHEMICAL REGISTRATION NUMBER:_____
(IF RENEWING EXISTING REGISTRATION)

CURRENT DEA CHEMICAL REGISTRATION NUMBER:_____
(IF APPLICABLE)

REGISTERED ACTIVITIES: ☐ MANUFACTURE AND/OR DISTRIBUTE REGULATEDCHEMICALS **(FEE IS $25)**

☐ RECEIPT OF REGULATED CHEMICALS FROM A SOURCE OUTSIDE THE STATE OF MISSOURI **(FEE IS $15)**

☐ CHECK THIS BOX IF APPLICANT EXEMPT FROM FEES, AND CIRCLE REASON FOR EXEMPTION: Local, State, or Federal Official/Agency, or you are currently registered to manufacture, distribute or dispense controlled substances.

INDIVIDUAL ON SITE RESPONSIBLE FOR ORDERING, CUSTODY, & DISBURSEMENT OF REGULATED CHEMICALS. (OWNER, CORPORATE PRESIDENT, PLANT MANAGER)

NAME:_____ TITLE:_____ SEX ☐ MALE ☐ FEMALE

SOCIAL SECURITY NUMBER:_____ DATE OF BIRTH:_____

DOES YOUR STORAGE SITE(S) FOR CHEMICALS COMPLY WITH THE CITY/COUNTY ORDINANCES AND STATE/FEDERAL LAW AND REGULATIONS GOVERNING FIRE, HEALTH, AND SAFETY STANDARDS FOR STORAGE? ☐ YES ☐ NO

PLEASE CHECK THE BOXES OF THE REGULATED CHEMICALS YOU HANDLE:

- ☐ 1,4 BUTANEDIOL
- ☐ 2-BUTATONE, METHYL ETHYL KETONE, (MEK)
- ☐ 3,4-METHYLENEDIOXYPHENYL-2-PROPANONE
- ☐ ACETIC ANHYDRIDE
- ☐ ACETONE
- ☐ ANTHRANILIC ACID, ITS ESTERS & ITS SALTS
- ☐ BENZALDEHYDE
- ☐ BENZYL CHLORIDE
- ☐ BENZYL CYANIDE
- ☐ EPHEDRINE*
- ☐ ERGONOVINE AND ITS SALTS
- ☐ ERGOTAMINE AND ITS SALTS
- ☐ GAMMA BUTYROLACTONE
- ☐ ETHYLAMINE AND ITS SALTS
- ☐ ETHYL ETHER
- ☐ PHENYLPROPANOLAMINE
- ☐ IODINE
- ☐ POTASSIUM PERMANGANATE
- ☐ METHYLAMINE AND ITS SALTS
- ☐ METHYL ISOBUTYL KETONE (MIBK)
- ☐ N-ACETYLANTHRANILIC ACID, ITS ESTERS & SALTS
- ☐ N-METHYLEPHEDRINE*
- ☐ N-METHYLPSEUDOEHEDRINE*
- ☐ PIPERIDINE AND ITS SALTS
- ☐ PHENYLACETIC ACID, ITS ESTERS AND ITS SALTS
- ☐ NORPSEUDOEPHEDRINE*
- ☐ NITROETHANE
- ☐ HYDRIODIC ACID
- ☐ PIPERONAL
- ☐ ISOSAFROLE
- ☐ PROPIONIC ANHYDRIDE
- ☐ PSEUDOEPHEDRINE*
- ☐ RED PHOSPHOROUS
- ☐ SAFROLE
- ☐ SULFURIC ACID
- ☐ TOLUENE

*** THIS INCLUDES THIS CHEMICAL'S SALTS, OPTICAL ISOMERS, AND SALTS OF ITS OPTICAL ISOMERS.**

HAVE ANY PARTIES TO THIS APPLICATION EVER ENTERED A PLEA OF GUILTY, OR NOLO CONTENDERE, OR BEEN CONVICTED OF AN OFFENSE INVOLVING EITHER THE USE, SALE, POSSESSION, TRANSPORT, CULTIVATION, OR MANUFACTURE OF A CONTROLLED SUBSTANCE?

☐ YES ☐ NO IF THE ANSWER IS YES, GIVE THE PERSON'S NAME, DATE OF CONVICTION AND STATE AND COUNTY OF CONVICTION AND TYPE OF CONVICTION:_____ If yes. Please attach copies of any documentation or official copies designating such action.

SUBMITTING FALSE INFORMATION ON THIS APPLICATION GIVES THE DEPARTMENT OF HEALTH THE AUTHORITY TO DENY THIS APPLICATION UNDER SECTION 195.405.3(5), RSMO. IF IT IS DISCOVERED AT A LATER DATE THAT THIS APPLICATION CONTAINS FALSE INFORMATION, THE REGISTRATION MAY BE REVOKED UNDER SECTION 195.405.5(1) RSMO.

I HEREBY ATTEST THAT ALL OF THE INFORMATION ON THIS APPLICATION FORM IS ACCURATE AND TRUTHFUL.

_____	_____	_____
SIGNATURE OF APPLICANT	TITLE	DATE

ALL APPLICATIONS MUST BE COMPLETE. INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT AND MAY DELAY PROCESSING. IF YOU HAVE QUESTIONS, YOU MAY CALL THE BUREAU OF NARCOTICS AND DANGEROUS DRUGS AT (573) 751-6321.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 2—Regulated Chemicals

PROPOSED RULE

19 CSR 30-2.060 Registration Changes

PURPOSE: This rule establishes procedures for modifying an existing registration, describes the conditions under which a registration automatically terminates, and prohibits the transfer of a registration.

(1) Modification of Registration.

(A) Any registrant may apply to modify his/her registration to authorize the handling of additional regulated chemicals by filing an application in the same manner as an application for new registration. No fee shall be required for the modification. The application for modification shall be handled in the same manner as an application for registration.

(B) Any registrant may request to modify his or her name or address as shown on the registration provided that such a modification does not constitute a change of ownership or location. The request shall be made in writing and no fee shall be required for the modification.

(C) When the registrant's name or address as shown on the registration changes, the registrant shall notify the Department of Health in writing, including the registrant's signature, prior to or within 30 days subsequent to the effective date of the change. No fee shall be required for the modification.

(2) Termination of Registration.

(A) The registration of any person shall terminate:

1. On the expiration date assigned to the registration at the time the registration was issued;

2. If and when the person dies;

3. If and when the person ceases legal existence;

4. If and when the person discontinues business, changes ownership, professional practice or changes business location, except the registration shall not terminate for 30 days from the effective date of the change if the person applies for a new registration within the 30-day period;

5. Upon the written request of the registrant.

(B) Any registrant who ceases legal existence or discontinues business, shall notify the Department of Health of the effective date of this action.

(3) Transfer of Registration. No registration or any authority conferred by registration shall be assigned or otherwise transferred.

AUTHORITY: sections 195.195 and 195.405, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 2—Regulated Chemicals

PROPOSED RULE

19 CSR 30-2.070 Separate Registrations

PURPOSE: This rule defines the requirements for regulated chemical registrations for separate activities and for separate sites, and defines when a separate registration is not required.

(1) Separate Registration for Independent Activities. The following groups of activities are deemed to be independent of each other and require separate registration:

(A) Manufacture and/or distribution of regulated chemicals;

(B) Receipt of regulated chemicals from a source outside of Missouri.

(2) A separate registration for receipt of regulated chemicals is not required if the registrant is registered as a manufacturer or distributor of regulated chemicals.

(3) Separate Registration for Separate Location. A separate registration is required for each principal place of business at one general physical location where regulated chemicals are manufactured, distributed or received by a person. The following locations shall be deemed not to be places where regulated chemicals are distributed or received:

(A) A warehouse where regulated chemicals are stored by or on behalf of a registered person, unless these substances are distributed directly from the warehouse to registrants other than the registered person or to persons not required to register;

(B) An office used by agents of a registrant where sales of regulated chemicals are solicited, made or supervised but which neither contains these substances (other than substances for display purposes) nor serves as a distribution point for filling sales orders.

AUTHORITY: sections 195.195 and 195.405, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 2—Regulated Chemicals

PROPOSED RULE

19 CSR 30-2.080 Records Requirements

PURPOSE: This rule requires records to be maintained by registrants who receive and/or distribute certain regulated chemicals.

(1) Any registrant who purchases or receives any quantity of any regulated chemical shall maintain a record of the regulated chemical purchased or received. The record shall contain the name of the regulated chemical, the form, the quantity purchased or received, the date received and the name and address of the supplier. For the purposes of this section, normal business records such as invoices and receipts shall be considered adequate.

(2) Any registrant who distributes any amount of the following regulated chemicals shall maintain a record of the transaction: ephedrine; phenylpropanolamine; pseudoephedrine; gamma butyrolactone; 1,4-butanediol; and red phosphorus. The record shall contain the name of the regulated chemical, the form, the quantity provided, the date provided, the proper identification of the person as required in section 195.400, RSMo, and the name of the employee who reviewed the identification of the person to whom the regulated chemical was distributed.

(3) All records required by this rule shall be maintained at the registered location for two years from the date of the transaction. Records must be readily retrievable and available for inspection and copying by authorized employees of the Department of Health.

AUTHORITY: sections 195.195 and 195.405, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than $500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 2—Regulated Chemicals

PROPOSED RULE

19 CSR 30-2.090 Security Requirements and Reports of Theft

PURPOSE: This rule requires registrants to maintain physical security, obtain proper identification from persons to whom they distribute, and report the theft of regulated chemicals.

(1) All registrants shall provide effective controls and procedures to guard against theft and diversion of the following regulated chemicals: ephedrine; phenylpropanolamine; pseudoephedrine; gamma butyrolactone; 1,4-butanediol; and red phosphorous. These chemicals shall not be stored so as to be accessible to the general public.

(2) Prior to distributing any regulated chemical under suspicious circumstances: in an extraordinary quantity; by an uncommon method of payment or delivery; or any other circumstance that the registrant believes may indicate that the regulated chemical will be used in violation of Chapter 195, RSMo, the registrant shall obtain proper identification of the purchaser or receiver as required in section 195.400, RSMo.

(3) Prior to distributing any quantity of the following regulated chemicals the registrant shall obtain proper identification of the purchaser or receiver as required in section 195.400, RSMo: ephedrine; phenylpropanolamine; pseudoephedrine; gamma butyrolactone; 1,4-butanediol; or red phosphorous. Where a pattern of regular supply of the regulated chemical has been established and the purchaser/receiver has established a record of lawful use of the regulated chemical, the registrant may annually obtain and maintain on file a copy of the proper identification.

(4) Registrants shall report the theft of any quantity of a regulated chemical upon the discovery of the theft. The registrant shall submit a Report of Theft, Loss or Diversion of Controlled Substances or Chemicals to the Department of Health. Special forms are furnished by the Department of Health and incorporated into this rule by reference as follows: Form MO 580-2283.

AUTHORITY: sections 195.195 and 195.405, RSMo 1994. Original rule filed April 14, 2000.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions $3,367 per year. Staffing salaries are expected to increase by 3% per year and expenses are expected to increase by 5% per year. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities $625,105 per year. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Division of Health Standards and Licensure, Lois Kollmeyer, Director, P.O. Box 570, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. 19 CSR 30-1.034

Title: 19—Department of Health

Division: 30—Health Standards and Licensure

Chapter: 2—Regulated Chemicals

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-2.090 Security Requirements and Reports of Theft

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregrate
Mo. Dept. of Health	$3,367 per year with 3% inflation factor

III. WORKSHEET

1.

Table 11
Cost for Bureau of Narcotics and Dangerous Drugs to Inspect Security of Regulated Chemicals

Year	# inspections of chemical sites performed by the BNDD	Time used by BNDD staff to inspect security of Regulated Chemicals	Salary of BNDD Investigative staff/ hour	Expenses of BNDD staff for inspecting security / year	cost / year
1998	56	2 hours	$16.96	$944	**$2,843**

2.

Costs of BNDD to investigate losses

Investigative salary	(10 hr)($16.96/hr)=	$ 170
Administrative salary	(3.5 hr)($31.50/hr)=	110
expenses		+ 244
Total		**$ 524**

IV. ASSUMPTIONS

1. This rule describes specific security measures that must be instituted by each registrant to ensure that diversion of regulated chemicals does not occur. The cost to Department of Health for the review and evaluation of security measures by the Bureau of Narcotics and Dangerous Drugs for FY 1998 is calculated by adding the cost of investigator's salaries to the cost of travel and evidence expenses in **Table 11.**

2. The number of thefts or losses of regulated chemicals reported has averaged 7 per year over the last 2 years. It is estimated that due to the 7 loss reports submitted per year, 10 total hours of investigative time and 3.5 total hours of administrative time are required concerning

these losses. Investigator salary is calculated as an average of $ 16.96 per hour and administrative salary is calculated as an average of $ 31.50 per hour. Equipment and Expense costs are estimated at $244.

Total **$ 524** per year

FISCAL NOTE
PRIVATE ENTITY COST

I. 19 CSR 30-1.034

Title: 19--Department of Health

Division: 30--Health Standards and Licensure

Chapter: 2—Regulated Chemicals

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-2.090 Security Requirements and Reports of Thefts

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:,	Classification by type of the business entities which would likely be affected:	Estimate n the aggregate as to the cost of compliance with the rule by the affected entities.
Chemical distributors – 2500		$625,105 per year with 3% inflation.

III. WORKSHEET

Table 18
Security Costs for Registrants

Year	# Registrants	Cost of Security	Cost of Security per year - Amortized over 20 years	Cost / year
1998	2500	$5,000	$250	**$625,000**

Table 10
Costs to Registrants to Prepare Loss Reports

Year	# Losses Reported by Registrants	Salary Cost to Prepare Loss Reports	Cost / year
1998	7	$15.00/hr	$105

Costs of security (amortized- per year)	$625,000
Costs to complete loss reports	+ 105
Total	**$625,105**

IV. ASSUMPTIONS

1. This rule describes security measures that must be instituted by each registrant to ensure that diversion of regulated chemicals does not occur. The cost of security for each registrant includes cost of

security fencing or enclosures for regulated chemicals divided over a 20-year period (life of such materials). Costs of such fencing or enclosures is expected to rise at 3% per year. **See Table 18**

4. The cost for preparation of loss reports includes an estimated time (1 hour) times an average salary ($15/hr) of the person preparing the loss report times the number of reports received by the Bureau of Narcotics and Dangerous Drugs. The number of thefts or losses experienced has averaged 7 per year for the last 2 years. **See Table 10**

MISSOURI DEPARTMENT OF HEALTH
BUREAU OF NARCOTICS AND DANGEROUS DRUGS

REPORT OF LOSS OR THEFT OF CONTROLLED SUBSTANCES OR CHEMICALS

Mail completed report to:
Missouri Department of Health
Attn: BNDD
P.O. Box 570
Jefferson City, MO 65102-0570

Missouri regulations require registrants to submit a report of any loss or theft of controlled substances or chemicals to the Missouri Bureau of Narcotics and Dangerous Drugs. Please print or type all information in blue or black ink.

NAME AND ADDRESS OF REGISTRANT (AS PRINTED ON REGISTRATION)	2. PHONE NUMBER (INCLUDE AREA CODE	3. DATE OF THEFT, LOSS OR DIVERSION (IF UNKNOWN, DATE DISCOVERED)
CITY	4. MISSOURI CONTROLLED SUBSTANCES REGISTRATION NUMBER (BNDD)	5. FEDERAL DEA REGISTRATION NUMBER
STATE ZIP CODE	6. COUNTY IN WHICH LOCATED	

7. PRINCIPAL BUSINESS OF REGISTRANT (CHECK ONE BOX **ONLY**)

☐ MD ☐ DO ☐ DPM ☐ NURSING HOME KIT ☐ DISTRIBUTOR

☐ OD ☐ DVM ☐ PHARMACY ☐ NARCOTIC TREATMENT PROGRAM ☐ IMPORTER/EXPORTER

☐ DDS ☐ DMD ☐ HOSPITAL ☐ TEACHING INSTITUTION ☐ OTHER (SPECIFY)

☐ ANP ☐ AMBULANCE ☐ MANUFACTURER _____

8. WAS THEFT REPORTED TO POLICE? ☐ YES ☐ NO	9. NAME AND TELEPHONE NUMBER OF POLICE DEPARTMENT (INCLUDE AREA CODE)
10. NO. OF THEFTS OR LOSSES REGISTRANT HAS EXPERIENCED IN THE PAST 24 MONTHS	11. TYPE OF LOSS OR DIVERSION ☐ BREAK-IN/BURGLARY ☐ EMPLOYEE THEFT ☐ LOST IN TRANSIT ☐ ROBBERY ☐ FORGED OR FALSIFIED RECORDS ☐ OTHER (EXPLAIN)
12. NAME(S) OF INDIVIDUALS RESPONSIBLE FOR THEFT OR DIVERSION.	SOCIAL SECURITY NUMBER AND DATE OF BIRTH OF INDIVIDUAL(S) RESPONSIBLE FOR THEFT OR DIVERSION, IF KNOWN.

13. SUMMARY OF INVESTIGATION (INCLUDING COPIES OF LAW ENFORCEMENT AGENCY REPORTS WHEN APPLICABLE).

☐ ATTACHED

☐ WILL FOLLOW BY _____ (DATE)

MO 580-2283 (5-98) **CONTINUE ON REVERSE** **NDD-15**

LIST OF CONTROLLED SUBSTANCES LOST

TRADE NAME OF SUBSTANCE OR PREPARATION	NAME OF CONTROLLED SUBSTANCE IN PREPARATION	DOSAGE STRENGTH AND FORM	QUANTITY
Examples: Desoxyn	**Methamphetamine Hydrochloride**	**5 Mg Tablets**	**3 x 100**
Demerol	**Meperidine Hydrochloride**	**50 Mg/ml Vial**	**5 x 30 ml**
Robitussin A-C	**Codeine Phosphate**	**2 Mg/cc Liquid**	**12 pints**
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I certify that the foregoing information is correct to the best of my knowledge and belief.

PRINT NAME	SIGNATURE	TITLE	DATE

MO 580-2283 (5-98)

Title 19—DEPARTMENT OF HEALTH
Division 40—Division of Maternal, Child and Family Health
Chapter 5—Food and Nutrition Programs

PROPOSED AMENDMENT

19 CSR 40-5.050 Child and Adult Care Food Program (CACFP). The department is amending section (5).

PURPOSE: This amendment clarifies who shall follow 7 CFR 226.1–226.27 which is incorporated by reference.

(5) Each *[sponsoring organization participating in the]* Child and Adult Care Food Program shall follow all other requirements which can be found in 7 CFR 226.1–226.27, which is hereby incorporated by reference and made a part of this rule.

*AUTHORITY: sections 192.006, RSMo [Supp. 1998] **Supp. 1999** and 192.025, RSMo 1994. Original rule filed Jan. 14, 1993, effective July 8, 1993. Rescinded and readopted: Filed April 16, 1999, effective Oct. 30, 1999. Amended: Filed: April 14, 2000.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than $500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than $500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Health, Bureau of Nutrition and Child Care Programs, 930 Wildwood Drive, Jefferson City, MO 65109. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register;* an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 1—Wildlife Code: Organization

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-1.010 Organization and Methods of Operation **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2000 (25 MoReg 477). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 100—Division of Credit Unions
Chapter 2—State-Chartered Credit Unions

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Credit Unions under section 370.100, RSMo 1994, the director amends a rule as follows:

4 CSR 100-2.190 Special Shares and Thrift Accounts **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 261). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the specified comment period.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 120—State Board of Embalmers and Funeral Directors
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Embalmers and Funeral Directors under section 333.111.1, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 120-2.100 Fees **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 261). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 150—State Board of Registration for the Healing Arts
Chapter 2—Licensing of Physicians and Surgeons

ORDER OF RULEMAKING

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.090.2, RSMo 1994 and 334.125, and 610.026, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 150-2.080 Fees **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 261–262). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 255—Missouri Board for Respiratory Care
Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Respiratory Care under sections 334.800, 334.840.2, 334.850, 334.880 and 610.026, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 255-1.040 Fees **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 262). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 255—Missouri Board for Respiratory Care
Chapter 2—Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Respiratory Care under sections 334.800, 334.840.2, 334.850, 334.880.1, 334.910 and 334.920, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 255-2.040 License Renewal **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 262). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 255—Missouri Board for Respiratory Care
Chapter 2—Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Respiratory Care under sections 334.800, 334.840.2, 334.850, 334.880.1, 334.910 and 334.920, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 255-2.050 Inactive Status **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 262–263). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 255—Missouri Board for Respiratory Care
Chapter 2—Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Respiratory Care under sections 334.800, 334.840.2, 334.850, 334.870, 334.880, 334.910 and 334.920, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 255-2.060 Reinstatement **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 263). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 255—Missouri Board for Respiratory Care
Chapter 3—Supervision

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Respiratory Care under sections 334.800, 334.840.2, 334.850, 334.890.4, 334.910 and 334.920, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 255-3.010 Supervision of Permit Holders **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 263). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 255—Missouri Board for Respiratory Care
Chapter 4—Continuing Education Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Respiratory Care under sections 334.800, 334.840.2, 334.850, 334.910 and 334.920, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 255-4.010 Continuing Education Requirements **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 264). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 10—Licensee's Responsibilities

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.805 and 313.812, RSMo 1994, the commission adopts a rule as follows:

11 CSR 45-10.150 Child Care Facilities—License Required **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 15, 1999 (24 MoReg 2961–2962). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division

ORDER OF RULEMAKING

By the authority vested in the superintendent of the Missouri State Highway Patrol under section 307.366, RSMo Supp. 1999, the superintendent adopts a rule as follows:

11 CSR 50-2.400 Emission Test Procedures **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2000 (25 MoReg 282–289). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Natural Resources received comments from the Specialty Equipment Market Association (SEMA).

COMMENT: SEMA commented that in paragraph (1)(B)8., the language should be amended to allow the cost of repairs or emissions system upgrades that further reduce vehicle emissions to be counted as qualifying expenditures.
RESPONSE: The Department disagrees, the language does not prohibit repairs or emission system upgrades. No change was made as result of this comment.

COMMENT: SEMA commented that in paragraph (3)(F)1.B., the language should be amended to stipulate that the mere presence of aftermarket parts does not bring the vehicle into an unsafe or unstable condition.
RESPONSE: The Department disagrees, the rule languages in (5)(B)3. states that EPA approved aftermarket parts are acceptable. No change was made as result of this comment.

COMMENT: SEMA commented that in paragraph (3)(H)1.B., the language should be amended to stipulate that the mere presence of aftermarket parts does not bring the vehicle into an unsafe or unstable condition.
RESPONSE: The Department disagrees, the rule languages in (5)(B)3. states that EPA approved aftermarket parts are acceptable. No change was made as result of this comment.

COMMENT: SEMA commented that in paragraph (5)(B)2.–3., the language could unintentionally call into question the use of approved aftermarket parts that include the removal of required parts.
RESPONSE: The Department disagrees, the rule language allows approved aftermarket parts, which would allow for the correct installation of said parts. No change was made as result of this comment.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 101—Sales/Use Tax—Nature of Tax

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director adopts a rule as follows:

12 CSR 10-101.500 Burden of Proof **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 3, 2000 (25 MoReg 19–20). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: One commentator suggested adding a section dealing with the construction of tax laws against the taxing authorities.
RESPONSE: The department disagrees and has not changed the proposed rule. The construction of laws will be dealt with in another regulation.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 15—Hospital Program

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Medical Services under sections 208.152, 208.153, 208.201, and 208.471, RSMo 1994, the director hereby amends a rule as follows:

13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 14, 2000 (25 Mo Reg 204–205). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

REVISED PUBLIC COST: The division has revised the original fiscal note to remove the SFY 2000 Fiscal Impact because the final order of rulemaking will not be effective in time for any rate increase to be granted and the fiscal impact was adjusted to reflect estimated fee-for-service patient days only. The revised fiscal note is $602,000 in SFY 2000 and $602,647 in SFY 2001 less than the amount submitted with the proposed amendment. The division estimates the annual aggregate public entity cost will be $429,353.

REVISED FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 13 -- Department of Social Services

Division: 70 -- Division of Medical Services

Chapter: 15 -- Hospital Program

Type of Rulemaking: Order of Rulemaking

Rule Number and Name: 13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services/Division of Medical Services	Annual Estimated Cost: $429,353 SFY 2001

III. WORKSHEET

The worksheet shows additional cost per day of $32.75 based on 60% occupancy for the hospital.

IV. ASSUMPTIONS

The projected fiscal impact is based on granting a rate increase in the amount of $32.75 per day to one hospital for SFY 2001. State operated hospitals previously could not request this type of rate increase as they were waived from acquiring the CON approval. Based on the proposed increase the hospital would receive the additional payment for 13,110 projected fee-for-service Medicaid days for SFY 2001. The projected impact for SFY 2001 is $429,353. The cost in the aggregate for future fiscal year can be determined by multiplying $429,353 by the number of years the rule remains in effect. The $32.75 rate increase is based on the assumption that the total increase in depreciation expenses from the hospitals 1996 cost report to the 1999 cost report would qualify for CON type project costs. Rate increase assumes hospital operates at 60% occupancy.

The projected impact for SFY 2000 is being removed as the final order will not be effect in time for any rate increase to be effective.

OFFICE OF ADMINISTRATION
Division of Purchasing

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, P.O. Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: http://www.state.mo.us/oa/purch/purch.htm. Prospective bidders may receive specifications upon request.

B1Z00426 Meat Products: Fish 5/16/00;
B2Z00086 Hubs, Active, AS/400 5/16/00;
B3Z00200 Vending Services-St. Joseph Office Bldg. 5/16/00;
B1Z00410 Laboratory Renovation/Casework 5/18/00;
B1Z00423 Cardboard Sheeting 5/18/00;
B1Z00427 Dairy Products: Moberly Correctional Center 5/18/00;
B1Z00432 Meat Products: Chicken 5/18/00;
B1Z00433 Pizza: Cheese 5/18/00;
B2Z00084 Copier-High Speed 5/18/00;
B1Z00409 Dairy Products 5/19/00;
B3Z00193 Janitorial Services 5/19/00;
B1Z00330 Exam Gloves 5/22/00;
B1Z00376 Fabrics: Knits, Color Tubing 5/22/00;
B2Z00048 Data/telecom Equipment 5/22/00;
B3Z00161 Laboratory Services 5/22/00;
B3Z00182 Janitorial Services 5/22/00;
B1Z00428 Meat Products: Fish 5/23/00;
B3Z00203 Moving Services-Local 5/23/00;
B3Z00194 Investigative Services 5/25/00;
B3Z00183 Printing: MO Revised Statues 5/26/00;
B3Z00174 Moving Services-Jefferson City 5/30/00;
B2Z00068 Optical Character Recognition System 6/1/00;
B2Z00073 Software: CYCO Workflow & Implementation Services 6/1/00;
B3Z00180 Medicaid Managed Care-Eastern Region 6/30/00.

Joyce Murphy, CPPO,
Director of Purchasing

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—23 (1998), 24 (1999) and 25 (2000). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
	OFFICE OF ADMINISTRATION				
1 CSR 10	State Officials' Salary Compensation Schedule				23 MoReg 2473 24 MoReg 2535
1 CSR 10-17.040	Office of Administration *(Changed from 1 CSR 40-1.080)*		25 MoReg 1062		
1 CSR 10-17.050	Office of Administration *(Changed from 1 CSR 40-1.070)*		25 MoReg 1062		
1 CSR 20-5.010	Personnel Advisory Board		This Issue		
1 CSR 20-5.020	Personnel Advisory Board		This Issue		
1 CSR 40-1.010	Purchasing and Materials Management		25 MoReg 1059		
1 CSR 40-1.030	Purchasing and Materials Management		25 MoReg 1059		
1 CSR 40-1.050	Purchasing and Materials Management		25 MoReg 1060		
1 CSR 40-1.060	Purchasing and Materials Management		25 MoReg 1061		
1 CSR 40-1.070	Purchasing and Materials Management *(Changed to 1 CSR 10-17.050)*		25 MoReg 1062		
1 CSR 40-1.080	Purchasing and Materials Management *(Changed to 1 CSR 10-17.040)*		25 MoReg 1062		
	DEPARTMENT OF AGRICULTURE				
2 CSR 10-5.005	Market Development	24 MoReg 2269			
2 CSR 30-2.020	Animal Health		25 MoReg 633		
2 CSR 60-1.010	Grain Inspection and Warehousing		24 MoReg 2755	25 MoReg 1157	
2 CSR 60-4.011	Grain Inspection and Warehousing		24 MoReg 2755	25 MoReg 1157	
2 CSR 60-4.040	Grain Inspection and Warehousing		24 MoReg 2755R	25 MoReg 1157R	
2 CSR 60-4.070	Grain Inspection and Warehousing		24 MoReg 2756	25 MoReg 1157	
2 CSR 60-4.110	Grain Inspection and Warehousing		24 MoReg 2756	25 MoReg 1157	
2 CSR 60-4.140	Grain Inspection and Warehousing		24 MoReg 2757	25 MoReg 1158	
2 CSR 60-4.150	Grain Inspection and Warehousing		24 MoReg 2758	25 MoReg 1158	
2 CSR 60-4.180	Grain Inspection and Warehousing		24 MoReg 2758	25 MoReg 1158	
2 CSR 60-5.010	Grain Inspection and Warehousing		24 MoReg 2759	25 MoReg 1158	
2 CSR 60-5.020	Grain Inspection and Warehousing		24 MoReg 2759R 24 MoReg 2759	25 MoReg 1158R 25 MoReg 1158	
2 CSR 60-5.030	Grain Inspection and Warehousing		24 MoReg 2760R	25 MoReg 1159R	
2 CSR 60-5.040	Grain Inspection and Warehousing		24 MoReg 2760	25 MoReg 1159	
2 CSR 60-5.050	Grain Inspection and Warehousing		24 MoReg 2760	25 MoReg 1159	
2 CSR 60-5.070	Grain Inspection and Warehousing		24 MoReg 2761	25 MoReg 1159	
2 CSR 60-5.080	Grain Inspection and Warehousing		24 MoReg 2761	25 MoReg 1159	
2 CSR 60-5.100	Grain Inspection and Warehousing		24 MoReg 2762	25 MoReg 1160	
2 CSR 60-5.120	Grain Inspection and Warehousing		24 MoReg 2763	25 MoReg 1160	
2 CSR 80-5.010	State Milk Board		25 MoReg 357		
2 CSR 90-20.040	Weights and Measures		25 MoReg 760		
2 CSR 90-22.140	Weights and Measures		25 MoReg 760		
2 CSR 90-25.010	Weights and Measures		25 MoReg 761		
	DEPARTMENT OF CONSERVATION				
3 CSR 10-1.010	Conservation Commission		25 MoReg 477	This Issue	
3 CSR 10-4.115	Conservation Commission		25 MoReg 259	25 MoReg 999	
3 CSR 10-4.116	Conservation Commission		25 MoReg 633		
3 CSR 10-6.405	Conservation Commission		25 MoReg 260	25 MoReg 999	
3 CSR 10-7.455	Conservation Commission				24 MoReg 2989
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR 40-1.021	Office of Athletics	21 MoReg 2680			
4 CSR 40-5.070	Office of Athletics	21 MoReg 1963			
4 CSR 65-1.020	Endowed Care Cemetries		This Issue		
4 CSR 65-1.030	Endowed Care Cemetries		This Issue		
4 CSR 65-1.040	Endowed Care Cemetries		This Issue		
4 CSR 65-1.050	Endowed Care Cemetries		This Issue		
4 CSR 65-1.060	Endowed Care Cemetries		This Issue		
4 CSR 65-2.030	Endowed Care Cemetries		This Issue		
4 CSR 65-2.040	Endowed Care Cemetries		This Issue		
4 CSR 65-1.020	Endowed Care Cemetries		This Issue		
4 CSR 70-2.031	State Board of Chiropractic Examiners		This Issue		
4 CSR 70-2.050	State Board of Chiropractic Examiners		25 MoReg 925		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 70-2.080	State Board of Chiropractic Examiners		This Issue		
4 CSR 70-2.090	State Board of Chiropractic Examiners		This Issue		
			This Issue		
4 CSR 70-2.100	State Board of Chiropractic Examiners		25 MoReg 925		
4 CSR 90-1.010	State Board of Cosmetology		25 MoReg 926		
4 CSR 90-2.010	State Board of Cosmetology		25 MoReg 928		
4 CSR 90-3.010	State Board of Cosmetology		25 MoReg 928		
4 CSR 90-4.020	State Board of Cosmetology		25 MoReg 931R		
			25 MoReg 931		
4 CSR 90-11.010	State Board of Cosmetology		25 MoReg 931		
4 CSR 90-13.010	State Board of Cosmetology		25 MoReg 932		
4 CSR 100	Division of Credit Unions				25 MoReg 724
					25 MoReg 724
					25 MoReg 724
					25 MoReg 1032
					25 MoReg 1161
					25 MoReg 1161
					25 MoReg 1161
4 CSR 100-2.045	Division of Credit Unions		25 MoReg 932		
4 CSR 100-2.190	Division of Credit Unions		25 MoReg 261	This Issue	
4 CSR 105-3.040	Credit Union Commission		25 MoReg 360		
4 CSR 110-2.001	Missouri Dental Board		25 MoReg 477		
4 CSR 110-2.090	Missouri Dental Board		This Issue		
4 CSR 110-2.130	Missouri Dental Board		25 MoReg 478R		
			25 MoReg 478		
4 CSR 115-1.010	State Committee of Dietitians		25 MoReg 934		
4 CSR 115-1.020	State Committee of Dietitians		25 MoReg 937		
4 CSR 115-1.030	State Committee of Dietitians		25 MoReg 940		
4 CSR 115-1.040	State Committee of Dietitians		25 MoReg 943		
4 CSR 115-2.010	State Committee of Dietitians		25 MoReg 943		
4 CSR 115-2.020	State Committee of Dietitians		25 MoReg 947		
4 CSR 115-2.030	State Committee of Dietitians		25 MoReg 948		
4 CSR 115-2.040	State Committee of Dietitians		25 MoReg 951		
4 CSR 115-2.050	State Committee of Dietitians		25 MoReg 955		
4 CSR 120-1.030	Board of Embalmers and Funeral Directors		25 MoReg 959		
4 CSR 120-2.010	Board of Embalmers and Funeral Directors		25 MoReg 959		
4 CSR 120-2.060	Board of Embalmers and Funeral Directors		25 MoReg 960		
4 CSR 120-2.100	Board of Embalmers and Funeral Directors		25 MoReg 261	This Issue	
4 CSR 150-2.001	State Board of Registration for the Healing Arts		25 MoReg 485		
4 CSR 150-2.005	State Board of Registration for the Healing Arts		25 MoReg 485		
4 CSR 150-2.065	State Board of Registration for the Healing Arts		25 MoReg 485		
4 CSR 150-2.080	State Board of Registration for the Healing Arts		25 MoReg 261	This Issue	
4 CSR 150-2.100	State Board of Registration for the Healing Arts		25 MoReg 486		
4 CSR 150-3.080	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-3.170	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-3.203	State Board of Registration for the Healing Arts		25 MoReg 486		
4 CSR 150-4.051	State Board of Registration for the Healing Arts		25 MoReg 487		
4 CSR 150-4.055	State Board of Registration for the Healing Arts		25 MoReg 487		
4 CSR 150-4.060	State Board of Registration for the Healing Arts		25 MoReg 488		
4 CSR 150-4.105	State Board of Registration for the Healing Arts		25 MoReg 488		
4 CSR 150-4.110	State Board of Registration for the Healing Arts`		25 MoReg 489R		
			25 MoReg 489		
4 CSR 150-4.115	State Board of Registration for the Healing Arts		25 MoReg 490R		
			25 MoReg 490		
4 CSR 150-4.120	State Board of Registration for the Healing Arts		25 MoReg 491R		
			25 MoReg 491		
4 CSR 150-4.125	State Board of Registration for the Healing Arts		25 MoReg 496		
4 CSR 150-4.130	State Board of Registration for the Healing Arts		25 MoReg 496		
4 CSR 150-4.200	State Board of Registration for the Healing Arts		25 MoReg 496		
4 CSR 150-4.201	State Board of Registration for the Healing Arts		25 MoReg 497		
4 CSR 150-4.203	State Board of Registration for the Healing Arts		25 MoReg 497		
4 CSR 150-4.205	State Board of Registration for the Healing Arts		25 MoReg 498		
4 CSR 150-4.210	State Board of Registration for the Healing Arts		25 MoReg 503		
4 CSR 150-4.215	State Board of Registration for the Healing Arts		25 MoReg 503		
4 CSR 150-6.020	State Board of Registration for the Healing Arts		25 MoReg 507		
4 CSR 150-6.025	State Board of Registration for the Healing Arts		25 MoReg 507		
4 CSR 150-6.030	State Board of Registration for the Healing Arts		25 MoReg 512		
4 CSR 150-6.060	State Board of Registration for the Healing Arts		25 MoReg 512		
4 CSR 150-6.070	State Board of Registration for the Healing Arts		25 MoReg 517		
4 CSR 150-7.100	State Board of Registration for the Healing Arts		25 MoReg 517		
4 CSR 150-7.120	State Board of Registration for the Healing Arts		25 MoReg 517		
4 CSR 150-7.122	State Board of Registration for the Healing Arts		25 MoReg 518		
4 CSR 150-7.125	State Board of Registration for the Healing Arts		25 MoReg 518		
4 CSR 150-7.140	State Board of Registration for the Healing Arts		25 MoReg 519		
4 CSR 150-7.200	State Board of Registration for the Healing Arts		25 MoReg 521		
4 CSR 150-7.300	State Board of Registration for the Healing Arts		25 MoReg 521		
4 CSR 150-7.310	State Board of Registration for the Healing Arts		25 MoReg 527		
4 CSR 155-1.010	Office of Health Care Providers		25 MoReg 531		
4 CSR 155-1.020	Office of Health Care Providers		25 MoReg 531		
4 CSR 193-1.010	Interior Design Council		25 MoReg 761		
4 CSR 193-1.020	Interior Design Council		25 MoReg 761		
4 CSR 193-1.030	Interior Design Council		25 MoReg 765		
4 CSR 193-2.010	Interior Design Council		25 MoReg 769		

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4 CSR 193-2.020	Interior Design Council		25 MoReg 773		
4 CSR 193-2.030	Interior Design Council		25 MoReg 773		
4 CSR 193-2.040	Interior Design Council		25 MoReg 773		
4 CSR 193-3.010	Interior Design Council		25 MoReg 778		
4 CSR 193-3.020	Interior Design Council		25 MoReg 778		
4 CSR 193-4.010	Interior Design Council		25 MoReg 782		
4 CSR 193-5.010	Interior Design Council		25 MoReg 782		
4 CSR 193-6.010	Interior Design Council		25 MoReg 786		
4 CSR 193-6.020	Interior Design Council		25 MoReg 789		
4 CSR 193-6.030	Interior Design Council		25 MoReg 792		
4 CSR 195-5.010	Workforce Development		24 MoReg 2314 25 MoReg 962		
4 CSR 195-5.020	Workforce Development		24 MoReg 2315 25 MoReg 962		
4 CSR 195-5.030	Workforce Development		24 MoReg 2318 25 MoReg 966		
4 CSR 197-1.010	Board of Therapeutic Massage		25 MoReg 795		
4 CSR 197-1.020	Board of Therapeutic Massage		25 MoReg 795		
4 CSR 197-1.030	Board of Therapeutic Massage		25 MoReg 795		
4 CSR 197-1.040	Board of Therapeutic Massage		25 MoReg 800		
4 CSR 197-2.010	Board of Therapeutic Massage		25 MoReg 800		
4 CSR 197-2.020	Board of Therapeutic Massage		25 MoReg 806		
4 CSR 197-2.030	Board of Therapeutic Massage		25 MoReg 810		
4 CSR 197-2.040	Board of Therapeutic Massage		25 MoReg 814		
4 CSR 197-2.050	Board of Therapeutic Massage		25 MoReg 818		
4 CSR 197-3.010	Board of Therapeutic Massage		25 MoReg 822		
4 CSR 197-4.010	Board of Therapeutic Massage		25 MoReg 825		
4 CSR 197-4.020	Board of Therapeutic Massage		25 MoReg 829		
4 CSR 197-5.010	Board of Therapeutic Massage		25 MoReg 832		
4 CSR 197-5.020	Board of Therapeutic Massage		25 MoReg 832		
4 CSR 197-5.030	Board of Therapeutic Massage		25 MoReg 837		
4 CSR 197-5.040	Board of Therapeutic Massage		25 MoReg 842		
4 CSR 197-6.010	Board of Therapeutic Massage		25 MoReg 846		
4 CSR 197-6.020	Board of Therapeutic Massage		25 MoReg 849		
4 CSR 210-2.060	State Board of Optometry		22 MoReg 1443		
4 CSR 220-2.010	State Board of Pharmacy		25 MoReg 966		
4 CSR 220-2.018	State Board of Pharmacy		25 MoReg 967		
4 CSR 220-2.020	State Board of Pharmacy		25 MoReg 967		
4 CSR 220-2.036	State Board of Pharmacy		25 MoReg 968		
4 CSR 220-2.080	State Board of Pharmacy		25 MoReg 970		
4 CSR 220-2.100	State Board of Pharmacy		25 MoReg 971		
4 CSR 220-2.145	State Board of Pharmacy		25 MoReg 972		
4 CSR 220-4.010	State Board of Pharmacy		25 MoReg 973		
4 CSR 220-5.020	State Board of Pharmacy		25 MoReg 973		
4 CSR 220-5.030	State Board of Pharmacy		25 MoReg 973		
4 CSR 220-5.050	State Board of Pharmacy		25 MoReg 974		
4 CSR 220-5.070	State Board of Pharmacy		25 MoReg 977		
4 CSR 230-2.070	Board of Podiatric Medicine		25 MoReg 531		
4 CSR 235-1.020	State Committee of Psychologists		25 MoReg 977		
4 CSR 250-8.020	Missouri Real Estate Commission		25 MoReg 360		
4 CSR 250-8.070	Missouri Real Estate Commission		25 MoReg 360		
4 CSR 250-8.090	Missouri Real Estate Commission		25 MoReg 361		
4 CSR 250-8.095	Missouri Real Estate Commission		25 MoReg 363R 25 MoReg 363		
4 CSR 250-8.096	Missouri Real Estate Commission		25 MoReg 365		
4 CSR 250-8.097	Missouri Real Estate Commission		25 MoReg 365		
4 CSR 250-8.160	Missouri Real Estate Commission		25 MoReg 366		
4 CSR 250-8.210	Missouri Real Estate Commission		25 MoReg 366		
4 CSR 255-1.040	Missouri Board for Respiratory Care		25 MoReg 262		This Issue
4 CSR 255-2.040	Missouri Board for Respiratory Care		25 MoReg 262		This Issue
4 CSR 255-2.050	Missouri Board for Respiratory Care		25 MoReg 262		This Issue
4 CSR 255-2.060	Missouri Board for Respiratory Care		25 MoReg 263		This Issue
4 CSR 255-3.010	Missouri Board for Respiratory Care		25 MoReg 263		This Issue
4 CSR 255-4.010	Missouri Board for Respiratory Care		25 MoReg 264		This Issue
	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION				
5 CSR 30-261.045	Division of School Services		25 MoReg 1063R 25 MoReg 1063		
5 CSR 30-345.010	Division of School Services		25 MoReg 533		
5 CSR 50-270.050	Division of Instruction		24 MoReg 877		
5 CSR 50-340.010	Division of Instruction		25 MoReg 533R		
5 CSR 80-800.400	Urban and Teacher Education		25 MoReg 533		
5 CSR 90-4.100	Vocational Rehabilitation		25 MoReg 367		
5 CSR 90-4.110	Vocational Rehabilitation		25 MoReg 367		
5 CSR 90-4.120	Vocational Rehabilitation		25 MoReg 368		
5 CSR 90-4.200	Vocational Rehabilitation		25 MoReg 368		
5 CSR 90-4.300	Vocational Rehabilitation		25 MoReg 370		
5 CSR 90-4.400	Vocational Rehabilitation		25 MoReg 370		
5 CSR 90-4.410	Vocational Rehabilitation		25 MoReg 371		
5 CSR 90-4.420	Vocational Rehabilitation		25 MoReg 371		
5 CSR 90-4.430	Vocational Rehabilitation		25 MoReg 374		
5 CSR 90-5.400	Vocational Rehabilitation		25 MoReg 376		
5 CSR 90-5.410	Vocational Rehabilitation		25 MoReg 379		

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5 CSR 90-5.420	Vocational Rehabilitation		25 MoReg 379		
5 CSR 90-5.430	Vocational Rehabilitation		25 MoReg 382		
5 CSR 90-5.440	Vocational Rehabilitation		25 MoReg 384		
5 CSR 90-5.450	Vocational Rehabilitation		25 MoReg 387		
5 CSR 90-5.460	Vocational Rehabilitation		25 MoReg 389		
	DEPARTMENT OF TRANSPORTATION				
7 CSR 10-2.010	Highways and Transportation Commission		24 MoReg 1367R		
			24 MoReg 1367		
		24 MoReg 2919R	24 MoReg 2940R	25 MoReg 999R	
		24 MoReg 2919	24 MoReg 2940	25 MoReg 999	
7 CSR 10-6.010	Highways and Transportation Commission		24 MoReg 765		
7 CSR 10-6.015	Highways and Transportation Commission		24 MoReg 766		
7 CSR 10-6.040	Highways and Transportation Commission		24 MoReg 767		
7 CSR 10-6.050	Highways and Transportation Commission		24 MoReg 768		
7 CSR 10-6.060	Highways and Transportation Commission		24 MoReg 769		
7 CSR 10-6.070	Highways and Transportation Commission		24 MoReg 770		
7 CSR 10-6.085	Highways and Transportation Commission		24 MoReg 773		
7 CSR 10-10.010	Highways and Transportation Commission	24 MoReg 2932	24 MoReg 2956	25 MoReg 1000	
7 CSR 10-10.040	Highways and Transportation Commission	24 MoReg 2933	24 MoReg 2957	25 MoReg 1000	
7 CSR 10-10.050	Highways and Transportation Commission	24 MoReg 2933	24 MoReg 2957	25 MoReg 1000	
7 CSR 10-10.070	Highways and Transportation Commission	24 MoReg 2934	24 MoReg 2958	25 MoReg 1000	
7 CSR 10 14.010	Highways and Transportation Commission		25 MoReg 635		
7 CSR 10 14.020	Highways and Transportation Commission	25 MoReg 629	25 MoReg 639		
7 CSR 10 14.030	Highways and Transportation Commission	25 MoReg 629	25 MoReg 639		
7 CSR 10 14.040	Highways and Transportation Commission	25 MoReg 630	25 MoReg 640		
7 CSR 10 14.050	Highways and Transportation Commission		25 MoReg 640		
7 CSR 10 14.060	Highways and Transportation Commission		25 MoReg 641		
	DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS				
8 CSR 10-2.020	Division of Employment Security		This Issue		
8 CSR 30-3.010	Division of Labor Standards		25 MoReg 1066		
8 CSR 30-4.030	Division of Labor Standards		25 MoReg 1066		
8 CSR 50-2.030	Workers' Compensation		25 MoReg 536R		
			25 MoReg 536		
8 CSR 50-4.010	Workers' Compensation		25 MoReg 537R		
			25 MoReg 538		
8 CSR 60-3.040	Commission on Human Rights	24 MoReg 2565			25 MoReg 598RUC
		25 MoReg 144T			
	DEPARTMENT OF MENTAL HEALTH				
9 CSR 10-7.010	Director, Department of Mental Health				24 MoReg 2875RUC
9 CSR 10-7.020	Director, Department of Mental Health				24 MoReg 2877RUC
9 CSR 10-7.030	Director, Department of Mental Health				24 MoReg 2879RUC
9 CSR 10-7.040	Director, Department of Mental Health				24 MoReg 2881RUC
9 CSR 10-7.050	Director, Department of Mental Health				24 MoReg 2881RUC
9 CSR 10-7.060	Director, Department of Mental Health				24 MoReg 2883RUC
9 CSR 10-7.070	Director, Department of Mental Health				24 MoReg 2884RUC
9 CSR 10-7.080	Director, Department of Mental Health				24 MoReg 2885RUC
9 CSR 10-7.090	Director, Department of Mental Health				24 MoReg 2886RUC
9 CSR 10-7.100	Director, Department of Mental Health				24 MoReg 2887RUC
9 CSR 10-7.110	Director, Department of Mental Health				24 MoReg 2887RUC
9 CSR 10-7.120	Director, Department of Mental Health				24 MoReg 2890RUC
9 CSR 10-7.130	Director, Department of Mental Health				24 MoReg 2891RUC
9 CSR 25-4.040	Fiscal Management		24 MoReg 2386		
			25 MoReg 641		
9 CSR 45-5.040	Mental Retardation and Developmental Disabilities		24 MoReg 2389		
			25 MoReg 644		
	DEPARTMENT OF NATURAL RESOURCES				
10 CSR					24 MoReg 1693
10 CSR 10-2.010	Air Conservation Commission				24 MoReg 420
10 CSR 10-2.060	Air Conservation Commission		24 MoReg 2588R	25 MoReg 1001R	
10 CSR 10-3.080	Air Conservation Commission		24 MoReg 2588R	25 MoReg 1001R	
10 CSR 10-4.060	Air Conservation Commission		24 MoReg 2589R	25 MoReg 1001R	
10 CSR 10-5.070	Air Conservation Commission		24 MoReg 2224		
10 CSR 10-5.090	Air Conservation Commission		24 MoReg 2589R	25 MoReg 1001R	
10 CSR 10-5.380	Air Conservation Commission	24 MoReg 2935	25 MoReg 14		
10 CSR 10-5.390	Air Conservation Commission		25 MoReg 264		
10 CSR 10-5.451	Air Conservation Commission		25 MoReg 649		
10 CSR 10-5.490	Air Conservation Commission		24 MoReg 2680		
10 CSR 10-6.020	Air Conservation Commission		24 MoReg 2629	25 MoReg 1001	
10 CSR 10-6.065	Air Conservation Commission		24 MoReg 2630	25 MoReg 1002	25 MoReg 1161
10 CSR 10-6.110	Air Conservation Commission		This Issue		
10 CSR 10-6.170	Air Conservation Commission		22 MoReg 2129		
10 CSR 10-6.310	Air Conservation Commission		24 MoReg 2686		
10 CSR 10-6.350	Air Conservation Commission		25 MoReg 640		
10 CSR 10-6.400	Air Conservation Commission		25 MoReg 391		
10 CSR 20-7.015	Clean Water Commission		25 MoReg 264		

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10 CSR 40-3.010	Land Reclamation Commission		25 MoReg 1066		
10 CSR 40-3.020	Land Reclamation Commission		25 MoReg 1066		
10 CSR 40-3.040	Land Reclamation Commission		25 MoReg 1067		
10 CSR 40-3.050	Land Reclamation Commission		25 MoReg 1070		
10 CSR 40-3.080	Land Reclamation Commission		25 MoReg 1071		
10 CSR 40-3.090	Land Reclamation Commission		25 MoReg 1072		
10 CSR 40-3.110	Land Reclamation Commission		25 MoReg 1072		
10 CSR 40-3.120	Land Reclamation Commission		25 MoReg 1073		
10 CSR 40-3.140	Land Reclamation Commission		25 MoReg 1074		
10 CSR 40-3.200	Land Reclamation Commission		25 MoReg 1074		
10 CSR 40-3.240	Land Reclamation Commission		25 MoReg 1078		
10 CSR 40-3.270	Land Reclamation Commission		25 MoReg 1078		
10 CSR 40-4.010	Land Reclamation Commission		25 MoReg 1079		
10 CSR 40-4.020	Land Reclamation Commission		25 MoReg 1079		
10 CSR 40-4.030	Land Reclamation Commission		25 MoReg 1080		
10 CSR 40-4.050	Land Reclamation Commission		25 MoReg 1081		
10 CSR 40-5.010	Land Reclamation Commission		25 MoReg 1081		
10 CSR 40-6.010	Land Reclamation Commission		25 MoReg 1082		
10 CSR 40-6.020	Land Reclamation Commission		25 MoReg 1083		
10 CSR 40-6.030	Land Reclamation Commission		25 MoReg 1083		
10 CSR 40-6.040	Land Reclamation Commission		25 MoReg 1084		
10 CSR 40-6.050	Land Reclamation Commission		25 MoReg 1085		
10 CSR 40-6.060	Land Reclamation Commission		25 MoReg 1087		
10 CSR 40-6.070	Land Reclamation Commission		25 MoReg 1088		
10 CSR 40-6.090	Land Reclamation Commission		25 MoReg 1089		
10 CSR 40-6.100	Land Reclamation Commission		25 MoReg 1090		
10 CSR 40-6.120	Land Reclamation Commission		25 MoReg 1091		
10 CSR 40-7.011	Land Reclamation Commission		25 MoReg 1092		
10 CSR 40-7.021	Land Reclamation Commission		25 MoReg 1094		
10 CSR 40-8.010	Land Reclamation Commission		25 MoReg 1095		
10 CSR 40-8.030	Land Reclamation Commission		25 MoReg 1101		
10 CSR 40-8.050	Land Reclamation Commission		25 MoReg 1102		
10 CSR 40-8.070	Land Reclamation Commission		25 MoReg 1103		
10 CSR 40-9.020	Land Reclamation Commission		25 MoReg 1107		
10 CSR 45-1.010	Metallic Minerals Waste Management		24 MoReg 2049 25 MoReg 978		
10 CSR 45-2.010	Metallic Minerals Waste Management		24 MoReg 2049 25 MoReg 978		
10 CSR 45-3.010	Metallic Minerals Waste Management		24 MoReg 1258R 24 MoReg 1258 25 MoReg 978R 25 MoReg 978		
10 CSR 45-6.010	Metallic Minerals Waste Management		24 MoReg 2049 25 MoReg 987		
10 CSR 45-6.020	Metallic Minerals Waste Management		24 MoReg 2049 25 MoReg 987		
10 CSR 45-6.030	Metallic Minerals Waste Management		24 MoReg 2050 25 MoReg 987		
10 CSR 60-2.015	Public Drinking Water Program		25 MoReg 147		
10 CSR 60-4.010	Public Drinking Water Program		25 MoReg 148		
10 CSR 60-4.050	Public Drinking Water Program		25 MoReg 152		
10 CSR 60-4.055	Public Drinking Water Program		25 MoReg 156		
10 CSR 60-4.090	Public Drinking Water Program		25 MoReg 161		
10 CSR 60-5.010	Public Drinking Water Program		25 MoReg 539		
10 CSR 60-5.020	Public Drinking Water Program		25 MoReg 176		
10 CSR 60-7.010	Public Drinking Water Program		25 MoReg 181		
10 CSR 60-8.010	Public Drinking Water Program		25 MoReg 187		
10 CSR 80-9.040	Solid Waste Management		25 MoReg 191		
10 CSR 80-9.050	Solid Waste Management		25 MoReg 197		
10 CSR 100-2.010	Petroleum Storage Tank Insurance Fund Board of Trustees		25 MoReg 1108		
10 CSR 100-5.010	Petroleum Storage Tank Insurance Fund Board of Trustees		25 MoReg 1108		
10 CSR 140-2	Division of Energy				24 MoReg 2243
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11 CSR 30-9.010	Office of the Director	25 MoReg 751	25 MoReg 852		
11 CSR 30-9.020	Office of the Director	25 MoReg 751	25 MoReg 852		
11 CSR 30-9.030	Office of the Director	25 MoReg 752	25 MoReg 852		
11 CSR 30-9.040	Office of the Director	25 MoReg 752	25 MoReg 853		
11 CSR 30-9.050	Office of the Director	25 MoReg 753	25 MoReg 853		
11 CSR 45-1.090	Missouri Gaming Commission		25 MoReg 1114		
11 CSR 45-5.010	Missouri Gaming Commission		25 MoReg 268		
11 CSR 45-5.051	Missouri Gaming Commission		25 MoReg 273		
11 CSR 45-5.053	Missouri Gaming Commission		25 MoReg 853		
11 CSR 45-9.030	Missouri Gaming Commission		24 MoReg 2765	25 MoReg 1003	
11 CSR 45-10.035	Missouri Gaming Commission		25 MoReg 278		
11 CSR 45-10.150	Missouri Gaming Commission	24 MoReg 2936	24 MoReg 2961	This Issue	
11 CSR 45-13.055	Missouri Gaming Commission	24 MoReg 2124	24 MoReg 2144 25 MoReg 278		
11 CSR 45-17.030	Missouri Gaming Commission		25 MoReg 854		
11 CSR 45-30.180	Missouri Gaming Commission		24 MoReg 2768	25 MoReg 1008	
11 CSR 45-30.190	Missouri Gaming Commission		24 MoReg 2768	25 MoReg 1009	
11 CSR 45-30.210	Missouri Gaming Commission		24 MoReg 2768	25 MoReg 1009	

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11 CSR 45-30.220	Missouri Gaming Commission		24 MoReg 2769	25 MoReg 1009	
11 CSR 45-30.280	Missouri Gaming Commission		24 MoReg 2769	25 MoReg 1009	
11 CSR 45-30.370	Missouri Gaming Commission		24 MoReg 2769	25 MoReg 1010	
11 CSR 50-2.080	Missouri State Highway Patrol		25 MoReg 554		
11 CSR 50-2.090	Missouri State Highway Patrol		25 MoReg 554		
11 CSR 50-2.100	Missouri State Highway Patrol		25 MoReg 554		
11 CSR 50-2.150	Missouri State Highway Patrol	25 MoReg 475	25 MoReg 554		
11 CSR 50-2.160	Missouri State Highway Patrol	25 MoReg 475	25 MoReg 555		
11 CSR 50-2.290	Missouri State Highway Patrol	25 MoReg 476	25 MoReg 555		
11 CSR 50-2.320	Missouri State Highway Patrol		25 MoReg 556		
11 CSR 50-2.400	Missouri State Highway Patrol	25 MoReg 253	25 MoReg 282	This Issue	
11 CSR 50-2.430	Missouri State Highway Patrol		25 MoReg 556		
11 CSR 50-2.440	Missouri State Highway Patrol		25 MoReg 557		
11 CSR 60-1.070	Division of Highway Safety		25 MoReg 18	25 MoReg 1010	
11 CSR 75-2.010	Peace Officer Standards and Training		25 MoReg 664		
11 CSR 75-3.010	Peace Officer Standards and Training		24 MoReg 2963	25 MoReg 888	
11 CSR 75-3.020	Peace Officer Standards and Training		24 MoReg 2963 25 MoReg 665	25 MoReg 888	
11 CSR 75-3.030	Peace Officer Standards and Training		24 MoReg 2963 25 MoReg 854	25 MoReg 888	
11 CSR 75-3.050	Peace Officer Standards and Training		24 MoReg 2967	25 MoReg 888	
11 CSR 75-3.060	Peace Officer Standards and Training		24 MoReg 2967	25 MoReg 889	
11 CSR 75-3.070	Peace Officer Standards and Training		24 MoReg 2968	25 MoReg 889	
11 CSR 75-3.080	Peace Officer Standards and Training		24 MoReg 2968	25 MoReg 889	
11 CSR 75-5.040	Peace Officer Standards and Training		25 MoReg 665		
11 CSR 75-10.010	Peace Officer Standards and Training		24 MoReg 2969	25 MoReg 889	
11 CSR 75-10.020	Peace Officer Standards and Training		24 MoReg 2969	25 MoReg 889	
11 CSR 75-10.030	Peace Officer Standards and Training		24 MoReg 2969	25 MoReg 889	
11 CSR 75-10.040	Peace Officer Standards and Training		24 MoReg 2970	25 MoReg 890	
11 CSR 75-10.050	Peace Officer Standards and Training		24 MoReg 2970	25 MoReg 890	
11 CSR 75-10.060	Peace Officer Standards and Training		24 MoReg 2970	25 MoReg 890	
11 CSR 75-10.090	Peace Officer Standards and Training		24 MoReg 2971R	25 MoReg 890R	
11 CSR 75-10.100	Peace Officer Standards and Training		24 MoReg 2971	25 MoReg 890	
11 CSR 75-11.035	Peace Officer Standards and Training		25 MoReg 665		
11 CSR 75-11.040	Peace Officer Standards and Training	24 MoReg 2937	24 MoReg 2972	25 MoReg 890	
11 CSR 75-11.060	Peace Officer Standards and Training		25 MoReg 666		
11 CSR 75-11.070	Peace Officer Standards and Training		25 MoReg 666		
11 CSR 80-1.010	Missouri State Water Patrol		25 MoReg 290		
11 CSR 80-2.010	Missouri State Water Patrol		25 MoReg 290		
11 CSR 80-3.010	Missouri State Water Patrol		25 MoReg 291		
11 CSR 80-3.020	Missouri State Water Patrol		25 MoReg 291		
11 CSR 80-4.010	Missouri State Water Patrol		25 MoReg 291		
11 CSR 80-6.010	Missouri State Water Patrol		25 MoReg 292		
11 CSR 80-7.010	Missouri State Water Patrol		25 MoReg 292		
11 CSR 80-8.010	Missouri State Water Patrol		25 MoReg 292		
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12 CSR	Construction Transient Employers				24 MoReg 2087
12 CSR 10-2.015	Director of Revenue	25 MoReg 5	25 MoReg 18	25 MoReg 1160	
12 CSR 10-3.460	Director of Revenue	25 MoReg 144			
12 CSR 10-5.015	Director of Revenue		24 MoReg 2973R	25 MoReg 891R	
12 CSR 10-5.020	Director of Revenue		24 MoReg 2973R	25 MoReg 891R	
12 CSR 10-5.035	Director of Revenue		24 MoReg 2974R	25 MoReg 891R	
12 CSR 10-5.105	Director of Revenue		24 MoReg 2974R	25 MoReg 891R	
12 CSR 10-5.520	Director of Revenue		24 MoReg 2974R	25 MoReg 891R	
12 CSR 10-11.030	Director of Revenue		24 MoReg 2974R	25 MoReg 891R	
12 CSR 10-11.040	Director of Revenue		24 MoReg 2975R	25 MoReg 892R	
12 CSR 10-11.090	Director of Revenue		24 MoReg 2975R	25 MoReg 892R	
12 CSR 10-11.190	Director of Revenue		24 MoReg 2975R	25 MoReg 892R	
12 CSR 10-11.200	Director of Revenue		24 MoReg 2975R	25 MoReg 892R	
12 CSR 10-11.210	Director of Revenue		24 MoReg 2976R	25 MoReg 892R	
12 CSR 10-11.220	Director of Revenue		24 MoReg 2976R	25 MoReg 1011R	
12 CSR 10-11.230	Director of Revenue		24 MoReg 2976R	25 MoReg 892R	
12 CSR 10-23.100	Director of Revenue		25 MoReg 557		
12 CSR 10-23.450	Director of Revenue		24 MoReg 2775	25 MoReg 893	
12 CSR 10-24.050	Director of Revenue		24 MoReg 2976	25 MoReg 893	
12 CSR 10-24.450	Director of Revenue		25 MoReg 1114		
12 CSR 10-24.452	Director of Revenue		25 MoReg 1114		
12 CSR 10-25.090	Director of Revenue		25 MoReg 392R		
12 CSR 10-26.010	Director of Revenue		24 MoReg 2776	25 MoReg 893	
12 CSR 10-26.020	Director of Revenue		24 MoReg 2779	25 MoReg 1011	
12 CSR 10-26.030	Director of Revenue		24 MoReg 2781	25 MoReg 893	
12 CSR 10-26.040	Director of Revenue		24 MoReg 2784	25 MoReg 893	
12 CSR 10-26.050	Director of Revenue		24 MoReg 2787	25 MoReg 893	
12 CSR 10-26.060	Director of Revenue		24 MoReg 2789	25 MoReg 1011	
12 CSR 10-26.070	Director of Revenue		24 MoReg 2791	25 MoReg 894	
12 CSR 10-26.080	Director of Revenue		24 MoReg 2793	25 MoReg 894	
12 CSR 10-26.090	Director of Revenue		24 MoReg 2795	25 MoReg 894	
12 CSR 10-26.100	Director of Revenue		24 MoReg 2797	25 MoReg 1011	
12 CSR 10-26.110	Director of Revenue		24 MoReg 2799	25 MoReg 894	
12 CSR 10-26.120	Director of Revenue		24 MoReg 2801	25 MoReg 894	
12 CSR 10-26.130	Director of Revenue		24 MoReg 2803	25 MoReg 894	

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12 CSR 10-26.140	Director of Revenue		24 MoReg 2805	25 MoReg 895	
12 CSR 10-26.150	Director of Revenue		24 MoReg 2807	25 MoReg 895	
12 CSR 10-26.160	Director of Revenue		24 MoReg 2809	25 MoReg 895	
12 CSR 10-26.170	Director of Revenue		24 MoReg 2811	25 MoReg 895	
12 CSR 10-41.010	Director of Revenue	24 MoReg 2938	24 MoReg 2977	25 MoReg 895	
12 CSR 10-101.500	Director of Revenue		25 MoReg 19	This Issue	
12 CSR 10-103.200	Director of Revenue		25 MoReg 292		
12 CSR 10-103.610	Director of Revenue		25 MoReg 293		
12 CSR 10-103.360	Director of Revenue		24 MoReg 2977	25 MoReg 895	
12 CSR 10-103.390	Director of Revenue		24 MoReg 2978	25 MoReg 895	
12 CSR 10-103.500	Director of Revenue		24 MoReg 2979	25 MoReg 896	
12 CSR 10-109.050	Director of Revenue		24 MoReg 2980	25 MoReg 1012	
12 CSR 10-110.900	Director of Revenue		25 MoReg 20	25 MoReg 1160	
12 CSR 10-110.910	Director of Revenue		25 MoReg 294		
12 CSR 10-110.920	Director of Revenue		25 MoReg 295		
12 CSR 10-111.013	Director of Revenue (*Changed to 12 CSR 10-110.013*)		24 MoReg 2632	25 MoReg 558	
12 CSR 10-111.060	Director of Revenue		25 MoReg 23	25 MoReg 1160	
12 CSR 10-112.300	Director of Revenue		24 MoReg 2981	25 MoReg 896	
12 CSR 30-1.030	State Tax Commission		24 MoReg 2695	25 MoReg 1012	
12 CSR 30-2.017	State Tax Commission		24 MoReg 2696R	25 MoReg 1012R	
12 CSR 30-2.018	State Tax Commission		24 MoReg 2702	25 MoReg 1012	
12 CSR 30-4.010	State Tax Commission		25 MoReg 296		
12 CSR 40-40.090	State Lottery		25 MoReg 392		
12 CSR 40-60.020	State Lottery		25 MoReg 393		
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13 CSR 15-4.050	Division of Aging		25 MoReg 666		
13 CSR 15-10.070	Division of Aging	This Issue	This Issue		
13 CSR 15-14.042	Division of Aging		25 MoReg 673		
13 CSR 15-15.022	Division of Aging		25 MoReg 855		
13 CSR 30-8.010	Child Support Enforcement		This Issue		
13 CSR 30-9.010	Child Support Enforcement		25 MoReg 674		
13 CSR 70-3.020	Medical Services		24 MoReg 1742		
13 CSR 70-3.030	Medical Services		24 MoReg 1743		
13 CSR 70-3.130	Medical Services		24 MoReg 1747		
13 CSR 70-10.110	Medical Services		25 MoReg 867		
13 CSR 70-15.010	Medical Services	24 MoReg 2938	25 MoReg 204	This Issue	
13 CSR 70-15.110	Medical Services		25 MoReg 988		
13 CSR 110-1.010	Division of Youth Services		25 MoReg 678		
13 CSR 110-2.010	Division of Youth Services		25 MoReg 678		
13 CSR 110-2.020	Division of Youth Services		25 MoReg 679		
13 CSR 110-2.030	Division of Youth Services		25 MoReg 679		
13 CSR 110-2.040	Division of Youth Services		25 MoReg 680		
13 CSR 110-2.050	Division of Youth Services		25 MoReg 681		
13 CSR 110-2.060	Division of Youth Services		25 MoReg 682		
13 CSR 110-2.070	Division of Youth Services		25 MoReg 682R		
13 CSR 110-2.080	Division of Youth Services		25 MoReg 683		
13 CSR 110-2.090	Division of Youth Services		25 MoReg 683R		
13 CSR 110-2.100	Division of Youth Services		25 MoReg 684		
13 CSR 110-2.110	Division of Youth Services		25 MoReg 685		
13 CSR 110-2.120	Division of Youth Services		25 MoReg 685		
13 CSR 110-2.130	Division of Youth Services		25 MoReg 686		
13 CSR 110-2.140	Division of Youth Services		25 MoReg 686		
13 CSR 110-2.150	Division of Youth Services		25 MoReg 687		
13 CSR 110-3.010	Division of Youth Services		25 MoReg 687		
13 CSR 110-3.015	Division of Youth Services		25 MoReg 688		
13 CSR 110-3.020	Division of Youth Services		25 MoReg 688		
13 CSR 110-3.030	Division of Youth Services		25 MoReg 689		
13 CSR 110-3.040	Division of Youth Services		25 MoReg 690		
13 CSR 110-3.050	Division of Youth Services		25 MoReg 691		
13 CSR 110-3.060	Division of Youth Services		25 MoReg 693		
13 CSR 110-5.010	Division of Youth Services		25 MoReg 693		
13 CSR 110-6.010	Division of Youth Services		25 MoReg 694		
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15 CSR 60-11.010	Attorney General		24 MoReg 1103		
15 CSR 60-11.020	Attorney General		24 MoReg 1104		
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16 CSR 10-6.020	Public School Retirement System		25 MoReg 24	25 MoReg 1013	
16 CSR 30-2.030	Missouri State Employees' Retirement System		25 MoReg 990R		
16 CSR 30-2.031	Missouri State Employees' Retirement System		25 MoReg 990R		
16 CSR 30-2.040	Missouri State Employees' Retirement System		25 MoReg 990R		
16 CSR 30-2.050	Missouri State Employees' Retirement System		25 MoReg 990R		
16 CSR 30-2.070	Missouri State Employees' Retirement System		25 MoReg 991R		
16 CSR 30-2.120	Missouri State Employees' Retirement System		25 MoReg 991R		
16 CSR 30-2.130	Missouri State Employees' Retirement System		25 MoReg 991R		
16 CSR 30-2.140	Missouri State Employees' Retirement System		25 MoReg 992R		

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16 CSR 30-2.150	Missouri State Employees' Retirement System		25 MoReg 992R		
16 CSR 30-2.160	Missouri State Employees' Retirement System		25 MoReg 992R		
16 CSR 30-2.181	Missouri State Employees' Retirement System		25 MoReg 992R		
16 CSR 30-2.190	Missouri State Employees' Retirement System		25 MoReg 993R		
16 CSR 30-2.210	Missouri State Employees' Retirement System		25 MoReg 993R		
16 CSR 30-2.220	Missouri State Employees' Retirement System		25 MoReg 993R		
16 CSR 30-2.240	Missouri State Employees' Retirement System		25 MoReg 994R		
16 CSR 30-2.241	Missouri State Employees' Retirement System		25 MoReg 994R		
16 CSR 30-2.242	Missouri State Employees' Retirement System		25 MoReg 994R		
16 CSR 30-2.250	Missouri State Employees' Retirement System		25 MoReg 995R		
16 CSR 30-2.260	Missouri State Employees' Retirement System		25 MoReg 995R		
16 CSR 30-2.270	Missouri State Employees' Retirement System		25 MoReg 995R		
16 CSR 30-2.280	Missouri State Employees' Retirement System		25 MoReg 996R		
16 CSR 30-2.285	Missouri State Employees' Retirement System		25 MoReg 996R		
16 CSR 30-2.290	Missouri State Employees' Retirement System		25 MoReg 996R		
16 CSR 30-2.300	Missouri State Employees' Retirement System		25 MoReg 996R		
16 CSR 30-2.310	Missouri State Employees' Retirement System		25 MoReg 997R		
16 CSR 30-2.311	Missouri State Employees' Retirement System		25 MoReg 997R		
16 CSR 30-2.320	Missouri State Employees' Retirement System		25 MoReg 997R		
16 CSR 30-2.330	Missouri State Employees' Retirement System		25 MoReg 998R		
16 CSR 50-1.010	The County Employees' Retirement Fund		25 MoReg 1116		
16 CSR 50-1.020	The County Employees' Retirement Fund		25 MoReg 1117		
16 CSR 50-1.030	The County Employees' Retirement Fund		25 MoReg 1117		
16 CSR 50-2.010	The County Employees' Retirement Fund		25 MoReg 1117R 25 MoReg 1118		
16 CSR 50-2.020	The County Employees' Retirement Fund		25 MoReg 1119R 25 MoReg 1120		
16 CSR 50-2.030	The County Employees' Retirement Fund		25 MoReg 1120R 25 MoReg 1121		
16 CSR 50-2.035	The County Employees' Retirement Fund		25 MoReg 1121R 25 MoReg 1121		
16 CSR 50-2.040	The County Employees' Retirement Fund		25 MoReg 1123R 25 MoReg 1123		
16 CSR 50-2.050	The County Employees' Retirement Fund		25 MoReg 1124R 25 MoReg 1124		
16 CSR 50-2.060	The County Employees' Retirement Fund		25 MoReg 1124R		
16 CSR 50-2.080	The County Employees' Retirement Fund		25 MoReg 1125		
16 CSR 50-2.090	The County Employees' Retirement Fund		25 MoReg 1125		
16 CSR 50-2.100	The County Employees' Retirement Fund		25 MoReg 1126		
16 CSR 50-2.110	The County Employees' Retirement Fund		25 MoReg 1126		
16 CSR 50-2.120	The County Employees' Retirement Fund		25 MoReg 1127		
16 CSR 50-2.130	The County Employees' Retirement Fund		25 MoReg 1127		
16 CSR 50-2.140	The County Employees' Retirement Fund		25 MoReg 1128		
16 CSR 50-2.150	The County Employees' Retirement Fund		25 MoReg 1128		
16 CSR 50-2.160	The County Employees' Retirement Fund		25 MoReg 1131		
16 CSR 50-3.010	The County Employees' Retirement Fund		25 MoReg 1131R 25 MoReg 1131		
16 CSR 50-3.020	The County Employees' Retirement Fund		25 MoReg 1132R		
16 CSR 50-3.030	The County Employees' Retirement Fund		25 MoReg 1132R		
16 CSR 50-3.040	The County Employees' Retirement Fund		25 MoReg 1133R		
16 CSR 50-3.050	The County Employees' Retirement Fund		25 MoReg 1133R		
16 CSR 50-3.060	The County Employees' Retirement Fund		25 MoReg 1133		
16 CSR 50-3.070	The County Employees' Retirement Fund		25 MoReg 1134		
16 CSR 50-3.080	The County Employees' Retirement Fund		25 MoReg 1134R		
16 CSR 50-3.090	The County Employees' Retirement Fund		25 MoReg 1134R		
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